96-42

COAST GUARD AUTHORIZATION, RESERVE, AND OVERSIGHT

HEARINGS
BEFORE THE
SUBCOMMITTEE ON COAST GUARD AND NAVIGATION
OF THE
COMMITTEE ON MERCHANT MARINE AND FISHERIES
HOUSE OF REPRESENTATIVES

NINETY-SIXTH CONGRESS

SECOND SESSION

ON

COAST GUARD AUTHORIZATION (FY 1981) AND OVERSIGHT—H.R. 6672

MARCH 13, 1980

COAST GUARD RESERVE—H.R. 6666

APRIL 30, 1980

COAST GUARD OMNIBUS OVERSIGHT

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COAST GUARD FISCAL YEAR 1981 AUTHORIZATION

THURSDAY, MARCH 13, 1980

House of Representatives,
Subcommittee on Coast Guard and Navigation,
Committee on Merchant Marine and Fisheries,
Washington, D.C.

The subcommittee met at 9:30 a.m., in room 1334, Longworth House Office Building, Hon. Mario Biaggi (chairman of the subcommittee) presiding.

Present: Representatives Biaggi, de la Garza, Oberstar, Studds, Hughes, Young, Thomas Evans, Melvin Evans, Livingston, and Emery.

Staff present: Ricardo A. Ratti, Rudolph V. Cassani, Cynthia M. Wilkinson, Lawrence G. Mallon, Sidney A. Wallace, John Bruce, and Stanley E. Senner.

Mr. Biaggi. The meeting is called to order.

Before we start, I would like to introduce a new member of the committee, Mr. Livingston from Louisiana.

Mr. Livingston. Thank you, Mr. Chairman. It is a pleasure to be here.

Mr. Biaggi. Nice to have you, Bob.

The Subcommittee on Coast Guard and Navigation meets today to consider the Coast Guard authorization bill for fiscal year 1981. Although the President's budget request—in compliance with the Congressional Budget Act of 1974, contains fiscal year 1982 budget estimates—consistent with past practice, we will limit our consideration to the fiscal year 1981 authorization.

In each member's folder is a copy of H.R. 6671—fiscal year 1981 authorizing legislation for the Coast Guard. Since we must take immediate action on this authorization, I introduced this bill rather than wait for receipt of the Executive communication from the Secretary of Transportation. Budgetary comparisons for prior years are also included—along with information pertinent to major system replacement acquisitions.

Since this subcommittee first considered the Coast Guard appropriation authorization in 1964—then limited to the procurement of vessels, aircraft, and shore facilities—through the first comprehensive examination of the Coast Guard budget in 1977, it has held a steady course in the exercise of its statutory responsibilities amidst the ebb and flow of budgetary tides. Our objective has been to define the gap between expectation and performance. This exercise of independent judgment is especially critical in times of an austere—even emergency—budgetary climate.

Our principal tasks continue:

To translate the overall budget request into flesh and blood programs;

To equate the annual budget request to projected mission performance levels stated as a percentage of program standards;

To measure the shortfall between these standards and actual performance levels; and

To establish budgetary ceilings based upon our independent assessment of mission priorities.

To fulfill our statutory obligation, we can do no less. If we find the plate too full and the mission side of the balance too heavy in comparison with the resource side, our responsibility is to reevaluate mission priorities and performance levels. If we successfully balance expectations and performance levels—the more difficult task—the fiscal budget can be balanced more easily by others with our support.

The Coast Guard request for fiscal year 1981 totals $1,547,740,000—an average increase of 13.4 percent over amounts appropriated in fiscal year 1980—deleting bridge alterations because of a policy shift from full to partial funding of these projects. By this measure, the Coast Guard has barely kept its head above water—caught up in a rising tide of inflation that measured 13.3 percent in 1979, and which may reach 18 percent this year.

Of this total budget, $1,182,112,000 is for operating expenses, allocated among the Coast Guard's primary mission areas of search and rescue—aids to navigation, marine safety, marine environmental protection, enforcement of laws and treaties, marine science and polar operations, and military readiness.

The acquisition, construction, and improvement request in the amount of $324,392,000 comprises 21 percent of the total budget. For the most part, this is a continuation of prior-year replacement programs for vessels and aircraft.

The research, development, test and evaluation request for $25 million in fiscal year 1981 constitutes slightly more than 1.5 percent of the Coast Guard budget. It reflects a pattern of incremental growth in this category over the last decade, indicative of a growing list of accomplishments by Coast Guard research and development which have contributed to improving the effectiveness of Coast Guard mission performance, particularly in marine safety and marine environmental protection.

The alteration of bridges request for $16,200,000 represents 1 percent of the Coast Guard budget and contains one new start in fiscal year 1981.

In its totality, the Coast Guard budget symbolizes the working of the old adage, familiar to municipal budget circles: "When the cuts come, they always take the cops off the beat in the toughest section of town!"

Analyzing the authorization request from the perspectives of resource mix, operating mission balance, and total amounts requested in each budget category, two budgetary strategies appear to predominate.

The first responds to what can be characterized as "quality of life" concerns for the welfare of Coast Guard personnel. These initiatives address growing interrelated problems of personnel retention, training and professionalism. Clearly, as our first budgetary priority, we need to identify and correct the root causes of these problems by providing decent housing for Coast Guard personnel and by improving the habitability of older Coast Guard vessels and shore stations.

At the same time, we must do our part in insuring that personnel, motivation, and job satisfaction are not diluted along with pay, benefits, and cost-of-living adjustments in the face of continuing inflation. The Coast Guard, throughout its history, has traditionally been a highly professional career service. We must do all within our power to see that it remains so.

The other predominant theme in this year's budget is improvement of the Coast Guard's physical plant. In addition to being labor-intensive, the Coast Guard is primarily an operating agency and, by the Commandant's own description, the condition of the Coast Guard fleet and much of its shore plant is "unacceptable."

In response, we must insure that aging vessels are modernized or replaced in timely fashion. In addition, vessel maintenance must be given additional emphasis and not sacrificed to meet operational requirements. This is false economy. Coast Guard vessels should receive the same emphasis upon logistics support as do Coast Guard aircraft.

We must also begin now to look to the future in order to shape a Coast Guard force structure that can respond to new demands and expanding responsibilities that are being placed upon the service by a Nation that will increasingly look to the sea to meet its food, energy, transportation, and security needs. Here is an opportunity for us to be, at the same time, boldly initiative and cost effective while energy conscious. Limited resources do not permit a nonsystemic solution to competing objectives.

The future belongs to those who can do more with less. The Coast Guard has long been one of the most cost-effective organizations in the Federal Government, as well as a leader in their self-conducted performance appraisal. Its multimission approach to resource management has provided the needed flexibility to resond to the many new demands placed upon the service. Now it is in the process of realining its research and development strategy along the same lines. It is a clear signal that when the future arrives, the Coast Guard will be ready.

In sum, I suggest that we direct our review and attention this year to basic issues of the welfare of Coast Guard personnel and the condition of its physical plant—while, on the one hand expressing our traditional program concerns, and providing policy direction on the other. In this manner, we will have effectively discharged our legislative responsibilities to the toughest of budget critics, the American taxpayer.

I ask unanimous consent that we place into the record an article from the Navy Times, February 25, 1980, concerning the do-it-yourself program for moving your own household goods in the military services other than the Coast Guard.

[The following was received for the record:]

[From the Navy Times, Feb. 25, 1980]

SAVINGS, INCENTIVE PAY—SELF-MOVES GAIN POPULARITY

(By Rosemary Purcell)

WASHINGTON.—More military people are taking advantage of the do-it-yourself program and earning incencive pay for moving their own household goods.

For fiscal year 1979, the Navy saved an average of $148 per move and the serviceman moving his personal property earned about $213 per move.

The Marine Corps saved an average of $113 per move, while Marines earned an average of $206. The Air Force reports an average savings of $122 per move, while members earned an average of $246. The Army saved $153 per move and soldiers earned about $276.

Military people now receive a greater share of the savings when they move their own household goods. They receive 80 percent rather than the former 75 percent of what a commercial mover would charge, minus the cost of the DITY move. For example, if a commercial mover charged $1,000 for a particular move, 80 percent would be $800. If a truck or trailer rental costs $500 for the same move, the serviceman would receive $300 for his time and labor, while the savings to the military would amount to $200.

DITY is available to officers and enlisted personnel in all four branches of the military who want to make their own do-it-yourself moves using rental equipment or their own means instead of the van lines.

Traditionally, van lines have handled all military transfers, but an increasing number of service people now are opting for DITY moves.

Since the average commercial move costs twice as much as one with rental equipment, part of the savings is kept by the government and the rest is passed on to the serviceman.

Congress and the Defense Department view the program as anti-inflationary and a method of curbing costs in the defense budget. The serviceman's incentive is provided to pay for the labor involved.

Servicemen and women are reportedly pleased with more than the financial benefits of the program. DITY movers say they are able to give their goods the personal touch that the van lines can't offer.

The government also seems impressed with the result of the self-move program. A Pentagon study has praised it, saying, "The member could move when he wanted, had complete control over the movement of his goods, and was assured that his household effects would arrive at their destination exactly when he wanted them."

In addition, military officials say there are as yet uncalculated hidden dollar savings because of fewer damage claims and reduced storage charges.

A spokesman for the rental industry said that military people rent trucks and trailers in equal numbers. But even if a family decides to use a commercial mover, trailers sometimes are used to transport items needed to set up temporary housekeeping until the van arrives. Since the government pays for transporting items the service member needs right away, the trailer usually won't cost the serviceman anything.

Military people must make arrangements for self-moves through the Installation Transportation Office or the Traffic Management Office to qualify for the monetary incentive. Many lower-ranking servicemen and women with an authorized weight allowance of 225 pounds are choosing DITY moves to get the additional weight capacity that a smaller trailer provides.

NAVY SAVES $1.5 MILLION

During fiscal year 1979, 8,481 Navy enlisted people and 1,663 officers moved their own household goods, saving the government an average of a little more than $1.5 million.

That's an increase in the number of do-it-yourself moves made during the previous fiscal year, according to Naval Supply Systems Command officials.

Last year, 5,660 enlisted people and 1,068 officers moved their own personal property, saving the government $896,992.

Figures released by NavSup show that Navy men and women in pay grades E-4 and E-5 made the most do-it-yourself moves. On the officer side, more ensigns—833—took advantage of the cash incentive program.

Mr. BIAGGI. And a statement from the chairman of the full committee, John Murphy.

Without objection, so ordered.

[The following was received for the record:]

Statement of Hon. John M. Murphy, Chairman, Committee on Merchant Marine and Fisheries

The chairman of the subcommittee on Coast Guard and Navigation has in his opening statement very ably and succinctly summarized the Coast Guard Budget Estimates for 1981 and has specified the tasks to be undertaken by the subcommittee in reviewing those estimates. I agree with his statement and support his objectives.

The Coast Guard is faced with yet another austere budget year while it struggles to correct existing deficiencies in capital plant, personnel retention, and operational programs—deficiencies that in large part result from budget restraints in previous years. The situation is severe, not susceptible to easy remedies. It is, therefore, essential that the subcommittee, and the full committee as well, closely examine the capabilities of the Coast Guard to meet its legislative mandates, the policy directions set by the Congress, and the resource demands implicit in Congressional actions. By so doing, we can identify ways to help the Coast Guard to meet mission requirements, and, at the same time, play our proper role in establishing policies to guide the Coast Guard in setting priorities and defining objectives.

With regard to the proposed budget estimates, I am greatly concerned about the number and character of Coast Guard requests for funding that have been eliminated or sharply reduced during the review process in the executive branch. Notwithstanding statutory mandates, many cuts have been made that make it impossible for the Coast Guard satisfactorily to carry out assigned tasks. These cuts go well beyond deferral of improvements, curtailment of expansion, and avoidance of redundancy. These cuts affect procurement, innovation, augmentation, and support in ways that can only require greater catch-up expenditures in the future. For a service that must operate ships, aircraft and shore establishments in a multimission mode to meet ever expanding missions, the review of requests for funding should be made with an eye to the future, not with a blind fixation on the status quo.

Aside from the central issue of sufficient funding to perform assigned missions, I have some specific concerns about policy directions the Coast Guard is taking. I hope that these concerns will be addressed in the testimony to be recorded today and, to the extent necessary, will pursue these matters through questions, either during the hearing or in writing, with answers to be provided for the record. Among these concerns are the following:

Protection of offshore assets, ports, and vessels against acts of terrorism.

A long range policy for providing icebreaker services, taking into account the needs of national defense, science, the environment, and, not least, exploration and exploitation of oil and gas resources.

Provision of inspection and certification services for the U.S. flag fleet, in the United States and overseas, both merchant vessels and mobile offshore drilling units.

Regulatory action affecting the design, construction, and operation of barges.

Administration of assigned Coast Guard environment protection functions, including response capabilities, relations with clean up contractors, and management of pollution funds.

Policy directions generally, including strategic objectivrs and long range planning.

The role of the Coast Guard as one of the Armed Forces of the United States, especially with regard to strategic mobility.

This hearing, and others as necessary, should establish a comprehensive record on the state of affairs respecting the Coast Guard. On that record, the Committee on Merchant Marine and Fisheries can make informed legislative decisions and decide how in coming months its oversight responsibilities are to be met.

[The bill follows:]

I

96TH CONGRESS
2D SESSION

H. R. 6672

To authorize appropriations for the Coast Guard for fiscal year 1981, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 3, 1980

Mr. BIAGGI (for himself and Mr. YOUNG of Alaska) introduced the following bill; which was referred to the Committee on Merchant Marine and Fisheries

---

A BILL

To authorize appropriations for the Coast Guard for fiscal year 1981, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That funds are hereby authorized to be appropriated for necessary expenses of the Coast Guard for fiscal year 1981, as follows:

(1) for the operation and maintenance of the Coast Guard, including expenses related to the Capehart housing debt reduction: $1,182,112,000;

(2) for the acquisition, construction, rebuilding, and improvement of aids to navigation, shore facilities, vessels, and aircraft, including equipment related thereto: $324,392,000;

(3) for the alteration or removal of bridges over navigable waters of the United States, constituting obstructions to navigation: $16,200,000; and

(4) for research, development, test, and evaluation: $25,000,000.

SEC. 2. For fiscal year 1981, the Coast Guard is authorized an end-of-year strength for active duty personnel of 39,487: *Provided,* That the ceiling shall not include members of the Ready Reserve called to active duty under the authority of section 764 of title 14, United States Code.

SEC. 3. For fiscal year 1981, average military training student loads for the Coast Guard are authorized as follows:

(1) recruit and special training: 4,175 student-years;

(2) flight training: 117 student-years;

(3) professional training in military and civilian institutions: 595 student-years; and

(4) officer acquisition: 925 student-years.

SEC. 4. The second sentence of subsection 475(a) of title 14, United States Code, is amended to read as follows: "When any such lease involves housing facilities in a foreign country, the lease may be made on a multiyear basis for a period not to exceed five years, and, in accordance with local custom and practice, advance payment may be made for the lease.".

SEC. 5. The third sentence of subsection 650(a) of title 14, United States Code, is amended to read as follows: "In these regulations, the Secretary may authorize an increase in the existing capital of the fund by the value of such usable materials transferred thereto from Coast Guard inventories carried in other accounts.".

SEC. 6. The last sentence of subsection 214(d) of title 14, United States Code, is amended to read as follows: "A person who is appointed under this section may not suffer any reduction in the rate of pay and allowances to which he would have been entitled had he remained in his former grade and continued to receive the increases in pay and allowances authorized for that grade.".

SEC. 7. (a) Chapter 13 of title 14, United States Code, is amended by adding a new section 512 as follows:

"§ 512. Monetary allowance for transportation of household effects

"The transportation and reimbursement authorized by subsection (b) of section 406 of title 37, United States Code, shall be available hereafter to pay a monetary allowance in place of such transportation to a member who, under regulations prescribed by the Secretary, participates in a program designated by the Secretary in which his baggage and household effects are moved by a privately owned or rental vehicle. This allowance shall not be limited to reimbursement for actual expenses and may be paid in advance of the transportation of the baggage and household effects. The allowance shall, however, be in an amount that will result in savings to the Government when the total cost of the movement of baggage and household effects is compared with the cost that otherwise would have been incurred under subsection (b) of section 406 of title 37, United States Code.".

(b) The analysis of chapter 13 of title 14, United States Code, is amended by adding the following item at the end thereof:

"512. Monetary allowance for transportation of household effects.".

SEC. 8. When an inspection or examination of a vessel documented or to be documented as a vessel of the United States is conducted at a foreign port or place at the request of the owner or operator of the vessel, that owner or operator shall reimburse the Secretary of the department in which the Coast Guard is operating for the travel and subsistence expenses incurred by the personnel assigned to perform the inspection or examination. Amounts received as reimbursement for these expenses shall be credited to the appropriation for operating expenses of the Coast Guard.

○

Mr. BIAGGI. This morning it is our pleasure to welcome as the first witness the Commandant of the U.S. Coast Guard, Adm. John B. Hayes, accompanied by Chief of Staff Rear Admiral Stewart; the Chief of the Programs Division, Captain Robbins; and the Chief of the Budget Division, Captain Larson.

Welcome and nice to see you again.

STATEMENT OF ADM. JOHN B. HAYES, COMMANDANT, U.S. COAST GUARD, DEPARTMENT OF TRANSPORTATION, ACCOMPANIED BY REAR ADM. JAMES STEWART, CHIEF OF STAFF; CAPT. CLYDE ROBBINS, CHIEF OF THE PROGRAMS DIVISION; AND CAPT. ROBERT LARSON, CHIEF OF THE BUDGET DIVISION.

Admiral HAYES. Thank you very much, Mr. Chairman.

At this time, Mr. Chairman, would you like me to go ahead with my opening statement?

Mr. BIAGGI. Yes, please.

OPENING STATEMENT

Admiral HAYES. Well, since you have already identified for me the members who are accompanying me at the witness table, I will not repeat that. I will, as an aside, certainly express our joy at seeing the chairman back out of the hospital and back in the ball game, and we look forward to the interaction with this committee.

Mr. BIAGGI. It is nice to be back.

Admiral HAYES. It is my privilege to again appear before you to present our request for Coast Guard authorizations for fiscal year 1981. I think that this request is consistent with the President's goal of limited growth in the Federal budget and will allow the Coast Guard to meet both new and traditional challenges and responsibilities which face us in what I have chosen to call the Decade of the Oceans.

The Decade of the Oceans will present many challenges for the Coast Guard and these will be met through favorable consideration by Congress of this and future budget requests.

In order to attack our problems with a clear understanding of what is needed, I have established a strategic planning council which is composed of the two area commanders, the Vice Commandant, the Chief of Staff and myself. This Council, with the support of other flag officers and key civilians, has developed eight strategic objectives which I intend to work toward in the management of the Coast Guard. I would like briefly to mention those objectives and relate this budget request to them.

STRATEGIC OBJECTIVES

Quality of life—to improve the quality of life for our personnel and their families. As I have said in previous testimony before this committee, we have a retention problem in the Coast Guard. Our professionalism is eroding and unless we can turn it around, the public is going to suffer from a lack of our ability to perform our duties competently. This year, as was the case last year, nearly a fourth of the Coast Guard's personnel must be replaced. At this time next year, approximately half of the Coast Guard enlisted personnel will have less than 2 years service—apprentices are replacing our skilled, experienced personnel. As any of armed services chiefs will tell you, there is no one cause for this turnover and hence no one solution. This budget concentrates more resources than ever before to solve this problem—over $34 million of this budget request are dedicated for fiscal year 1981 to improving the quality of life. Included are such things as bachelor leased housing, bachelor enlisted quarters-upgrade, family housing, community support facilities, et cetera.

Naturally, there are other actions, such as longer tours of duty, where appropriate, to promote personnel stability, closer attention to personnel support and attention to the wants and needs of bachelors as well as married members, which I can and am taking now to stem the flow of our trained people to other employment.

My second objective is equal opportunity—to continue the aggressive pursuit of equal opportunity and enhance human relations for all Coast Guard military and civilian personnel. I would like to identify two which are directly related—the upward mobility and the human relations counselors' items. They are important. They add to our ongoing effort which is considerable. I estimate right now that we dedicate about 58 people full time to equal opportunity. And I intend to do more. Secretary Goldschmidt has made it abundantly clear he is not interested in waiting until 1981 to improve the Department of Transportation's performance in this area. I will continue to seek ways to solidly demonstrate my support in this effort.

Energy—develop innovative plans for energy conservation and for reduction of energy use in both our operational and regulatory roles. Being largely an agency which operates ships, aircraft, boats and shore facilities, we consume large amounts of energy. We are trying to design our operating facilities in a manner which will make them frugal in their energy consumption. In addition, much of the rehab work which will be accomplished on our old shore facilities within our AC&I budget will contribute directly to this objective. This budget request concentrates nearly $70 million on the shore facilities, each project of which will be carefully studied to insure that we take maximum advantage of the most recent developments in energy conservation.

Our R. & D. energy conservation efforts are concentrated in those areas which we feel are unique to the Coast Guard or are getting inadequate attention elsewhere. In addition, we will continue to monitor industry and Government developments to insure maximum use of the state of the art in planning, design and everyday operations.

Character of the Coast Guard—achieve a better balance between responsibilities which develop seagoing experience and those which require seagoing experience.

Over the last 50 years, the number of seagoing billets in the Coast Guard has constantly declined, as missions such as the ocean station program were terminated. Meanwhile our regulatory activity in the maritime arena has grown tremendously. This budget request provides a number of billets and funding for operating two new vessels, the *Bear* and the *Tampa*, builds a new buoy tender for the Red River, funds another 270-foot cutter and provides a modern

140-foot icebreaking tug to replace the ill-fated *Cuyahoga*. Certainly modern ships in our inventory will contribute to this objective.

Plant maintenance—we hope to make a quantum jump in the improvement and modernization of the logistics support and maintenance of the Coast Guard plant, particularly ships and boats.

With the continued support of this committee, we will make considerable strides in improving the condition of our fleet. We are correcting the asbestos problem on the cutters, and are beginning the procurement of badly needed spare parts which have a long procurement leadtime. This budget requests additional maintenance money for our high and medium endurance cutters and our icebreakers in addition to new vessel construction funds. It will give us an important step toward providing a better fleet.

In a somewhat new arena, decision support systems—we hope to develop an innovative and cost-effective approach to management of information in the Coast Guard.

Our information requirements in the 1980's are such that we can no longer rely upon manual methods to collect and analyze information. In the past, as individual managers have perceived a requirement for additional information, they have tended to develop their own systems to collect and analyze data, all too frequently without regard to other managers' needs for similar data. It is my goal to provide a system which will permit free interchange of information while reserving for individual managers the flexibility to collect the information they need. This budget request contains an item for $2.6 million which is the first step in providing an integrated system which will permit field commanders to exchange information with headquarters. Minicomputers will allow district commanders to collect and analyze the data they need while simultaneously insuring a requisite amount of standardization so as to provide headquarters and other district commanders access to that data. These minicomputers will not replace or duplicate the capabilities of the centralized computers in the transportation computer center in Washington. Only that information which is needed in addition to the center's capability will be stored in the minicomputers. These computers are required to support this management objective and I strongly urge your approval.

With respect to internal organization and management, I hope to improve the internal organization and management of the Coast Guard so that it will continue to be a vital agency capable of meeting demands placed on it with a minimum of bureaucratic delay and a maximum of effectiveness.

This objective is mostly internal but certainly will enhance our service to the public. To the maximum extent possible, I am delegating claims settlement, administrative actions and regulatory functions to the district commanders in order to reduce the redundant reviews of maritime matters. I have proposed to the Secretary an internal reorganization which will put greater emphasis on the management of our aids to navigation program. These and other such activities will provide more efficient services to the public.

Finally, with respect to our national and international thrusts, we hope to foster the Coast Guard's role as a substantial asset in U.S. seapower; and increase the Coast Guard contribution to furtherance of U.S. interest in international maritime affairs.

First, I am particularly interested in doing everything possible to strengthen our maritime capability. This I intend to do through close coordination with other interested agencies and strong aggressive action in such organizations as the International Maritime Consultative organization. It is apparent to me that this Nation now, more than at any time since World War II, needs a strong maritime capability.

The new medium endurance cutter and the supporting resources for previously appropriated MEC's included in this request will add to U.S. seapower assets. These vessels, while fully capable of performing our multimission peacetime duties will be fine fighting ships. The armament planned by DOD for these ships will be modern equipment which will provide an extremely cost-effective contingency platform.

You may have heard of the informal ocean principals group that we have been successful in putting together. The idea was to offer an alternative to reorganization for meeting national needs in ocean affairs. The group is comprised of the top level leadership of MARAD, NOAA, the Corps of Engineers, the Navy Law of the Sea staff, the Chief of Naval Operations, Interior, EPA, the Department of State, NASA and the National Science Foundation. The aim of the group is to consider in depth and coordinate agency interests and current programs on a region-by-region basis. Our initial efforts are very encouraging and I think it will result in closer, more effective coordination of ocean affairs.

OPERATING EXPENSES

As for the particular items in this budget beyond those I have mentioned, I ask your support. The $1,182 million in OE is some $95.5 million more than we have in the Coast Guard's fiscal year 1980 budget, including proposed supplementals. $62 million of that increase is associated with the increased cost of doing business. The remaining $33.5 million are principally associated with operating new facilities and improving quality of life, equal opportunity, plant maintenance and other strategic objectives.

Mr. **Emery**. Mr. Chairman, I wonder if we could get the Admiral to tell us what MEC is? It is a little difficult to translate.

Admiral **Hayes**. I thought I said medium endurance cutter when I went through that. MEC is medium endurance cutter.

Was there another one?

Mr. **Emery**. There have been several that have come along that I missed.

Admiral **Hayes**. I guess, as an unfortunate part of our bureaucracy, we use acronyms.

OE is the Operating Expenses appropriation, AC&I is the acquisition, construction and improvements appropriation.

Mr. **Emery**. Thank you very much.

ACQUISITION, CONSTRUCTION AND IMPROVEMENTS

Admiral **Hayes**. The acquisition, construction and improvements request of $324 million is $38 million above the fiscal year 1980 figure. It allows us to continue the multiyear multiarticle procurement of ships and aircraft while making reasonable progress in curing some of our shore facility ills.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

The request of $25 million in research and development is an increase of $3 million over what was provided in fiscal year 1980. A significant portion of the additional R. & D. funds requested will be used to seek out an advanced marine vehicle design as a potential alternative to other more costly investments in facilities and personnel. Retired pay increases from $198.5 to $232 million; reserve training from $41.3 million to $45 million; and alternation of bridges administration with four continuations and one new start goes from $7.7 to $16.2 million. We are also asking to increase the capitalization of the supply fund by $1.5 million.

In addition to the above items, we are requesting authority to provide certain benefits for our members which are already enjoyed by members of other Armed Forces. These include making advance payments for Government leased quarters in certain foreign countries; indexing "save pay" provisions for temporary warrant and commissioned officers relative to their former permanent grades; and paying members a monetary allowance to move their own household goods instead of using commercial movers. Additionally, we are requesting authority to increase the capitalization of the Coast Guard supply fund by the value of donated spare parts for major items such as vessels and aircraft obtained as part of a procurement in another account. Finally, we are requesting that the "National Safe Boating Week" be moved to an earlier point in the boating season from the week of July 4th to the first week in June.

Taken as a whole, this request, if approved, will contribute significantly to the provision of a healthier and more effective Coast Guard.

I thank you very much, Mr. Chairman, and I am ready to answer questions.

"BLACKTHORN" INCIDENT

Mr. BIAGGI. Thank you, Admiral.

Before we go to the questions, Admiral, I would like to express my personal sympathy and that of the subcommittee for the loss of the 23 Coast Guard personnel in the sinking of the *Blackthorn*.

Admiral HAYES. Thank you, Mr. Chairman. It was a tragedy to all of us, of course.

Mr. BIAGGI. Unfortunately, happening with tragic frequency. That tragedy proves to all of us that no matter how much progress you make, going to sea is still a dangerous business.

Admiral HAYES. I certainly agree with that observation, Mr. Chairman. It is, indeed.

Mr. BIAGGI. And the Coast Guard which seems to be regarded as the—as a haven safetywise, as contrasted to the other services, finds itself in a position where they are losing men with regularity.

It would be interesting to note the ratio of losses of the Coast Guard and the major services, major military services.

Admiral HAYES. I, of course, have no immediate response to that, Mr. Chairman.

Mr. BIAGGI. It just occurs to me that when people look with jaundiced eyes at the Coast Guard, and they are related to the major military services, I wonder if they really understand that the perils ofttimes are similar and that loss of life is loss of life. What stage of that investigation do we find ourselves in?

Admiral HAYES. I spent yesterday with Admiral Venzke out in St. Louis, Mr. Chairman, on business having to do with the towboat industry and he will be heading back down to Tampa on Sunday and expects to complete his work probably in about a week to 10 days after that, with respect to the taking of testimony. Then, of course, it has to be analyzed and his conclusions developed so it will still be probably a couple to 3 months before I have in hand his report.

RETENTION

Mr. BIAGGI. Thank you. I think we will apply the 5-minute rule this morning in view of the presence of a large number of members.

Thank you for your statement, especially with relation to personnel. It is consistent with our views.

Since yours is an operational service operating in a dangerous environment, you need high quality personnel. I am concerned about the retention problem and also about the relative youth or lack of experience, if you will. I think you testified that half the personnel were less than 2 years—is that what you testified?

Admiral HAYES. Yes, sir.

Mr. BIAGGI. That is a phenomenal observation.

I wonder if you could comment on both of those things more fully and what improvements, if you have had any, in your efforts to retain personnel?

Admiral HAYES. Let me deal with the last first, if I may, Mr. Chairman.

Right now we are apparently at a point where the retention situation has stabilized. It has stabilized at an unsatisfactory point but at least we are not still going downhill. It is around, I believe, 70 percent, the last figure I saw, between 67 and 70 percent.

Of course, as far as I am concerned, a healthy Coast Guard ought to be up closer to 90 percent. So I feel with respect to retention, we are down about 20 percent with respect to second and subsequent term reenlistments.

Now, with respect to first-term reenlistments, the situation is not quite as drastic, although we are still down farther in our petty officer reenlistment percentages than we would like to be and, of course, the nonrated percentages are holding at about 15 to 16 percent at the end of the first term. Those really ought to be up around 25 percent.

So in both of those areas of retention, first term and subsequent terms, we certainly are not where I would like to see us. The implications of that are pretty obvious.

As we continue at this level of retention, it means that we will be turning our people over in jobs more frequently simply because positions are left vacant by those who do not reenlist. The result of that is, people are in the job a shorter period of time and hence are not able to take advantage of the training they have received for that job. It also increases training and recruiting costs.

Furthermore, as one considers this, we end up in a catch 22 situation, because one of the major factors in retention has to do with job security. The other major areas, of course, are pay and benefits.

As the person remains in the job a shorter period of time, and as he feels less expert in that job, very clearly his job security deteriorates and that, too, affects his decision as to whether or not he or she will reenlist.

Mr. BIAGGI. Do you have any programs to compensate for that insecurity?

Admiral HAYES. Well, what we end up with here, Mr. Chairman, is that we have some very complex issues that we are trying to deal with in managing our personnel. I expect probably, Mr. Chairman, you have seen Mr. Laird's article concerning military personnel, to which I believe he testified recently and I think that describes it extremely well.

One of the major problems on that side obviously is indeed the perception of our people at any rate that they are not being paid comparably.

I can tell you this, Mr. Chairman:

In my travels around the Coast Guard—and they have been extensive in the last 21 months—it is my perception that our people are not unhappy over working long hours. That is not the problem.

The problem is that they simply perceive that they are not being dealt with fairly. I think that is the thing we must do.

Mr. BIAGGI. Well, that goes back to some of my original observations. There are many people who regard the Coast Guard as a lesser service, hence, not compensated in comparable fashion to the other services. With that perception prevailing, the members of the Coast Guard are subordinate——

Admiral HAYES. I am sorry?

Mr. BIAGGI. With that perception prevailing, the service, the Coast Guard service is going to obviously have that perception reflected in many things. It is reflected often in your budget. This is not the first year that we have had authorization hearings and our experience has been that we have had to improve on your own requests, understanding the constraints of practical living from your perspective and I take a dim view of those who look at the Coast Guard in that light, but I think it comes about almost by the spartan attitude of the service where you are to be complimented. You may do with less. It becomes an accepted standard and we do not agree with that.

We have been trying to break away from that shackle and I can see where the personnel could be unhappy. They view themselves on a par with the other military services, but they, quite frankly, I do not think they have the same constituency that the other military services have. It will be necessary to overcome what I think is an erroneous perception.

Admiral HAYES. I might point out, Mr. Chairman, that with respect to what you are saying right now, one of the things that frequently is lost sight of is that our people, for the most part, live on small stations frequently in rather high cost areas, because of the public that we are serving. Because of that, many of the benefits available to the other Armed Forces in the form of commissaries, exchanges, medical care, are not directly available to them. So your point is very well taken.

RECRUITMENT

Mr. BIAGGI. What are we doing about recruitment?

Admiral HAYES. At the moment, fortunately, Mr. Chairman, we are well above our 100 percent requirement in terms of waiting lists and recruiting does not happen to be, at least for now, a major problem for us. I suppose here, one of the advantages we have is the missions that the Coast Guard performs in peacetime and, indeed, I feel they probably appeal to the idealistic nature of the young men and women of today.

So in general, recruiting is not a major problem at the moment.

Mr. BIAGGI. I will impost the 5-minute rule on myself as well. I am sure that I have gone beyond it. I have a number of questions that I will come back to.

But I would also like to observe the 70 percent retention rate is similar in the other services?

Admiral HAYES. Yes.

Mr. BIAGGI. Mr. Evans?

Mr. THOMAS EVANS. Thank you, Mr. Chairman.

Admiral Hayes, let me first of all say that I am delighted that Chairman Biaggi has recovered from a bout with the flu, and he is back with us. He has recovered from some other bouts over a period of years, and he always comes back.

Admiral, I realize fully that your search and rescue mission in the Coast Guard is vastly expanded, and, with it, you do need additional funds if you are going to be able to meet the objectives that you have given.

I realize that we have only 5 minutes; so if you would like to, at any point, answer in writing any of the questions that I have, I would ask unanimous consent that that be included as a part of the record.

Mr. BIAGGI. Without objection.

[The following was received for the record:]

QUESTIONS SUBMITTED BY MR. EVANS AND ANSWERED BY ADMIRAL HAYES

"MACKINAW" REPAIRS

Question. How are *Mackinaw* machinery repairs or replacement being funded? What time will be required and what use will be required and what use will be made of the crew during this period? Will the vessel be operational during the month of November and the following winter months of calendar years 1980 and 1981?

Answer. The procurement of replacement machinery was made with fiscal year 1979 A. C. & I. funds and existing maintenance monies. This project will be done in concert with habitability improvements which is a line item in the fiscal year 1981 A. C. & I. request. A seven to eight month availability will be required for these repairs/improvements and will be performed during an off-icebreaking season, thus ensuring *Mackinaw* will be available during the winter ice season. Because of the habitability improvements only a security/fire party will berth aboard *Mackinaw*. The majority of the crew will be berthed ashore and will continue to perform routine/preventive maintenance plus inspection of contract-related work.

R. & D. FACILITY

Question. What is the present location of the Coast Guard Oceanographic Unit at which the Aireye Data System Center is to be located at a cost of $500K? Would it not be advisable to consolidate these facilities at a new Research and Development Center which has been under consideration for several years? What is the status of R. & D. Center plans, as affected by the uncertainty of future occupancy at the present Groton site?

Answer. The Coast Guard Oceanographic Unit is located at the Washington Navy Yard Annex in Washington, D.C. Due to similarities in some of their functions, the facilities had been considered for possible colocation at a new Research and Development Center. However, since these facilities directly support operational missions, it is felt that the requirements and procedures necessary for Aireye support would have an undesirable impact on the R. & D. environment.

At the present we are seeking information from the state of Connecticut on its plans for the Groton site. Along with this we are analyzing alternatives at other locations that may be available to met our needs for an R. & D. Center.

Question. What is the status of planning and the need for relocation of your R. & D. Center both costwise and efficiency wise?

Answer. Our present five year lease with the State of Connecticut expires in 1982. The future lease conditions are uncertain at this time, but we do anticipate a substantial increase in lease cost exclusive of energy costs. There is a real possibility that the University of Connecticut SE Branch (Avery Point) may close which would substantially change the cost and availability of a future lease. In addition to leasing problems, our present facilities are inadequate due to size, age and restrictions on improvements to leased properties.

At the present time, we are studying the various alternatives available in providing our needs for an R. & D. Center. Economic and cost/benefit anaylsis of the various alternatives are now underway. Preliminary feeling is that an east coast site is most practical to permit the necessary liaison that must be maintained between Coast Guard Headquarters R. & D. management and the R. & D. Center.

DECISION SUPPORT SYSTEMS

Mr. THOMAS EVANS. On page 6 of your statement, Admiral Hayes, decision support systems, you talk about the innovative cost-effective approach to management of information of the Coast Guard. I think this is an important objective because very often we reinvent the wheel and there is not the same coordination that you need.

You ask for $2.6 million. You indicate that that is a first step.

Can that act independently, or does that have to be part of a comprehensive program?

Admiral HAYES. Mr. Evans, we have considered this rather carefully in proposing this in this budget for the very reason that your question suggests. It can be accomplished separately for the simple reason that this is a capability that our major field commanders need right now without regard to what direction our total system development finally takes. Independent of that action, I am convening, within the next couple of months, a major study to take a look at this whole matter of decision and managing of information, looking at data systems, looking at our communications systems, looking at word processing and electronics backup and trying to mesh these together in a lot more sensible fashion than we have done in the past. That will take time, to put a plan together, to do that.

So this step that we are proposing now is one that is independent of that study and one that we recognize we need no matter what the results of that final plan.

Mr. THOMAS EVANS. You also would say that potential savings in dollars from a program such as this would be fairly substantial in terms of the overall effectiveness of your men?

Admiral HAYES. Mr. Evans, I would like to respond in the affirmative to that. But I have to confess that so far in my experience, shifting to computer systems and improving your management of information does not always result in savings of dollars. It shifts them, though, from perhaps people-intensive efforts to software-intensive efforts.

Mr. Thomas Evans. Does it improve your effectiveness?

Admiral Hayes. I think the answer to that is most certainly yes. I can give you a quick example of that.

We just began using a computer-based reporting system that we have in our operations. That system is called the NAVFORSTAT system. Our most recent use of data out of that system has given us, for the first time, a very excellent handle on our fleet readiness, our Coast Guard fleet readiness, and out of that, there is no doubt whatsoever in my mind but that we will be able to manage our management and logistics support a lot better than what we are doing right now.

Mr. Thomas Evans. I wonder if you could put that in the form of a memorandum and include that, because I would like to address that atmosphere of austerity. Everyone is attempting to cut back.

What we are attempting to do is not cut back on those things for the future.

[The following was received for the record:]

Decision Support Systems Effectiveness

The Coast Guard participates in the World Wide Military Command and Control System (WWMCCS), a computer-based command and control system. UNITREP reports (formerly NAVFORSTAT) are one of the principle inputs to this system.

This system is presently being used as a management tool to help effectively utilize our scarce resources. The system shows us trends over a period of time in vessel utilization and problems developing in training, maintenance, personnel and supply.

We are also using WWMCCS to improve our present material failure reporting system. This should produce substantial savings by reducing down time due to maintenance and spare parts problems.

NATIONAL AND INTERNATIONAL THRUSTS

Mr. Thomas Evans. National and International thrusts, on page 8 of your opening statement, you are interested in doing everything possible to strengthen our maritime capability. I do not think there is anyone here on this committee who does not share that objective.

You say that you intend to have close coordination with other industries and strong, aggressive actions in such organizations as the maritime consultative organization, IMCO.

How will you do this through IMCO?

Admiral Hayes. As you are probably aware, Mr. Evans, the Coast Guard is one of the very strong participants in that organization. I would hope that we could not only continue that, but strengthen our involvement with respect to both safety and environmental concerns internationally, that I think are cropping up with increasing frequency.

I would also hope that we could do that separately through regional arrangements that we might make with our neighbors, with respect to such things as oil containment and cleanup, drug interdiction, search and rescue, communications; and so I see a role that we can play.

Mr. **Thomas Evans.** Many of these issues are certainly regional in scope, and some, international in scope.

Admiral **Hayes.** Yes, sir.

Mr. **Thomas Evans.** You talk about the informal ocean principals group, national needs and ocean affairs in meeting with various representatives.

Who is taking the lead role in that?

Admiral **Hayes.** We took the lead role in that, Mr. Evans.

RESEARCH AND DEVELOPMENT FUNDS

Mr. **Thomas Evans.** My last question, Mr. Chairman, relates to the request of $25 million in reseach and development funds, which is a $3 million increase.

Now, very often, in times of austerity, corporations will cut back on their R. & D. budget. I think that is one of the problems that the Chrysler Corporation had.

I would hope that we would not be cutting back in research and development funds because they are extremely critical for the future.

One specific question related to R. & D. is the status of the lease on the R. & D. facility at Avery Point, Conn., at the present time.

Admiral **Hayes.** That particular lease runs out in 1982, Mr. Evans. Future lease conditions with the State of Connecticut are, of course, a bit uncertain and we are indeed looking at a number of options for the future with respect to a Coast Guard reseach and development center, including the possiblity of colocating at a State college or university.

We recognize that what we would like to do or perhaps what the preferred alternative might be at this time, might not be the best one for the future. So we will take a broad look at that right now.

DELAWARE RIVER AND BAY AIDS

Mr. **Thomas Evans.** One other question for me, Mr. Chairman.

Last year, this committee authorized some funds beyond the administration's request for navigational aids in places such as the Delaware River and Bay. The authorization did not survive the appropriations process.

What is the situation regarding navigational aids in the Delaware River and Bay and have you been able to give them some help this winter?

Admiral **Hayes.** Very quickly, Mr. Evans, the funds are available for structural design to the tune of $50,000, and new design ice buoys to amounts of $100,000.

Second, the light intensities from five lighthouses in the bay have been increased by temporary installation of generators which provide 120-volt AC power rather than the conventional battery.

Third, the improvement of five ranges in which we are spending about $200,000 will be funded in the fiscal year 1981 appropriations.

Mr. **Biaggi.** The time of the gentleman has expired.

Mr. **Thomas Evans.** Thank you, Mr. Chairman.

Mr. **Biaggi.** We will take a 10-minute recess to respond to a quorum.

[Brief recess.]

Mr. STUDDS [presiding]. The subcommittee will come to order.

Admiral, I cannot resist asking you at the beginning: Do you have a copy of this in front of you—the AC&I?

Admiral HAYES. Yes; I do.

Mr. STUDDS. I direct your attention to page 19, and what purports to be a map of southeastern Massachusetts. You are going to need aids to navigation if anyone is operating on maps like that.

Admiral HAYES. I plead ignorance.

Mr. STUDDS. Is that taken from a 17th century——

Admiral HAYES. I have not the foggiest notion. It looks almost hand drawn.

Mr. STUDDS. If it is the product of any of the Coast Guard personnel in aids to navigation, we have more severe problems than I thought.

Admiral HAYES. I plead ignorance.

OILSPILL CLEANUP CAPACITY

Mr. STUDDS. Whatever it is, it is not southeastern Massachusetts.

Let me begin by addressing a subject of great concern to me, as you know, and that is our capacity to deal with oilspill cleanup on the high seas.

For the record, can you sketch what your understanding is of our physical capacity at this time? I understand we are testing new kinds of equipment and most recently in the Gulf of Mexico at the Campeche spill.

Under what conditions—and by that, I mean wave height, wind velocity, current strength, under what conditions can we effectively clean up oilspills on the high seas at this time?

Admiral HAYES. I only hesitate because the answer is complex.

I thought about that when I got my first report from the Ixtoc spill and the performance of our equipment down there, the skimming boom that, of course, has been the object of our research and development program. I was rather excited about it because that equipment had performed in roughly 35- to 40-knot winds and around 8- to 10-foot seas and had continued its cleanup task. When we got to the *Burmah Agate* fire and spill, we found that that same equipment was not performing as it had down in Campeche. The reason had to do with the volatility of the particular kind of oil with which we were trying to deal. It also had to do with the fact that there was more current at that location than there was down in Campeche.

So, to the extent that different cargoes require different capabilities, I think we still have some way to go.

Nevertheless, we are at least optimistic that that R. & D. effort has produced substantial capability. We do not know what we will be able to achieve.

Now, we have made the first procurement of that particular kind of capability. I think we have 4 of those skimming barriers presently operating and the next 18 are under order, Mr. Studds.

Mr. STUDDS. What about my question? Under what conditions, wave height, currents, wind, velocities can we clean up?

Admiral HAYES. I will repeat them if I was not clear.

Right now it looks as if, with certain kinds of fuel, we can clean up in winds up to about 35 to 40 knots and with wave heights of about 8 to 10 feet.

With respect to currents, we can clean up in currents of about 1 to 1½ knots at the present time.

Mr. **Studds**. One to 1½ knots?

Admiral **Hayes**. Yes, sir. We have an R. & D. program underway that again is looking as if it will produce some good results and that is what we call a zero relative speed skimmer. What that amounts to is a skimmer that will proceed with the oil that has been spilled and skim it in the process. We have had some success with that in up to about 5 knot currents, but we still have not completed that research project.

Mr. **Studds**. Now, as you probably know, the full committee, this committee had hearings last year in Corpus Christi to get at among other things this question with respect to our ability to date to clean up that spill. I do not have the transcript in front of me and I should have reviewed it prior to this. My recollection is we were not told of the capacity at that time, such as you describe—was it Admiral Yost at that time?

Admiral **Hayes**. Yes; it would have been Admiral Yost.

Mr. **Studds**. When we got beyond the admiral to the on-scene commander, we got different answers from someone who was actually there and handling the equipment. The higher you go—I do not recall the captain, his name, but every time the admiral asserted that we had the capability to clean up, I think he was saying 6 to 8 feet, not 10. You gained another 3 or 4 feet.

When you pressed them, what they said was that the darn thing did not sink. That it does not work very well. If it survived at all, it was operating not under its maximum efficiency.

Admiral **Hayes**. All I can tell you is what is told to me by my people. I was not there.

Mr. **Studds**. Your reports are probably from the Admiral's?

Admiral **Hayes**. No. As a matter of fact, I talked directly with the people who were down there. If there is a conflict in the information that this committee has, I will certainly resolve it for you, and I assure you it would not be on the high side.

Mr. **Studds**. So far as I can recall, and we will certainly check the transcript and pursue this for some time to come, your estimate of 8 to 10 feet and 30 to 40 knots is the highest that I have heard of an estimated capacity. As I am sure you know, last summer, in August, we had a Northeaster roughly 20-foot seas in Georges Bank in the middle of summer. So even this is not much when one considers whether the offshore operations——

Admiral **Hayes**. I would guess that we would never be able to clean up in that kind of gale condition. I would seriously doubt it simply because of what happens to the sea in those conditions.

Mr. **Studds**. You do not happen to know what the currents are in Georges Bank, do you?

Admiral **Hayes**. They vary, as you well know, from anywhere from zero velocity to 3 to 4 knots in some of those structured areas and around some of the shoals.

Mr. **Studds**. This has been a question, as you know, every year for a long time. I know the Coast Guard is as anxious as anyone and more than most to achieve this capability and less anxious than anyone to find the demonstration of just how capable we are if we find a crisis.

Admiral **Hayes.** I have just referred to my notes to be sure that I was not inaccurate, Mr. Studds. And all I can tell you is that this comes from the staff which includes people who were down there this past summer, and they are talking about 10-foot seas, recovering oil, survival in 12-foot seas.

Mr. **Studds.** Survival, that is the phrase. It means it did not sink?

Admiral **Hayes.** Yes.

Mr. **Studds.** That is really not a triumph for a vessel.

Admiral **Hayes.** Well, it is a triumph for a boom to the extent that you do not want to lose it if you can possibly avoid it, considering the investment. It is a separate matter entirely. The cleanup was at 10 feet.

Mr. **Studds.** Which means that through some period of the summer your equipment could possibly survive on Georges Bank?

Admiral **Hayes.** I operated up there for 2 years on the *Vigilant*, Mr. Studds, and I did an interesting analysis of the weather because there were those who had commented that we would not be able to operate with helicopters from the ship very much of the year because of the weather. The result of that analysis, and I will grant you it was not over a 5-year period, it was a 12-month period, I could have operated helicopters 85 percent of the time from my ship.

Now, the limiting factors there were about 5- to 6-foot seas and about 20 knot winds, with respect to operating the helicopter from the 210-foot cutter, simply because of limitations on roll.

Mr. **Studds.** Where were you stationed?

Admiral **Hayes.** I was operating out of New Bedford, Mass., on Georges Bank.

Mr. **Studds.** On Georges Bank, the seas were less than 5 feet through a 2-year period?

Admiral **Hayes.** Yes.

Mr. **Studds.** You are sure about that?

Admiral **Hayes.** Well, all I can tell you is——

Mr. **Studds.** Then my NOAA weather radio is way off. I will notify them about that.

Admiral **Hayes.** All I can tell you is that that was the result of the research that we did at that time. The weather may have changed since. I do not know. It startled me.

Mr. **Studds.** It certainly startles me.

I can see what you and I are going to hear from the fishermen on that point.

Mr. Emery, it is your turn—Mr. Biaggi, it is your turn. I did not see you there.

You have been saved, Admiral.

Admiral **Hayes.** Well, I do not consider being saved.

Mr. **Studds.** I did not get to the fun questions yet.

Mr. **Biaggi** [presiding]. Mr. Emery.

SEARCH AND RESCUE IN THE NORTHEAST

Mr. **Emery.** Thank you, Mr. Chairman.

First of all, I would like to thank the Chair for allowing an interloper to ask some questions this morning. I am not a member of the subcommittee.

However, Admiral, I am very concerned about the search and rescue capabilities for the Northeastern part of the United States, especially in the State of Maine. There was reference earlier to a Coast Guard disaster in which several Coast Guard personnel lost their lives.

On the 21st of February, there was a disaster in Harpswell, Maine, which resulted in the death of two fishermen, deaths which many of my constituents and many fishermen in that part of the country felt could have been prevented if the Coast Guard had helicopter search and rescue operations somewhere within Maine, a few minutes flying distance of that part of the coast.

As you know, a few years ago, the decision was made to discontinue helicopters in Maine and to have them in Massachusetts, a very long and difficult coast to adequately cover. We are very concerned that this decision, although made for budgetary reasons, may have indirectly resulted in the loss of these two fishermen simply because it was not possible to arrive with necessary search and rescue equipment quickly enough. In fact, they were in the water for some 15 hours, and although valiant attempts to save their lives were made, it was simply too late. I realize that the Coast Guard has budgetary constraints and that there are obvious deployment problems with manpower and equipment, and I do not wish to criticize the Coast Guard for operating within those constrictions. However, the coastline of Maine is a rough area. There are shoals and inlets and islands which complicate search and rescue. In high seas it is impossible for craft to perform that mission.

I have a series of six questions which I would like you to respond to now, and in more detail in writing if you would. I also have a copy of an article from the Maine Commercial Fisheries newspaper, March 1980 issue, which explains the particular disaster in question. Then I point out the need for Coast Guard search and rescue capabilities over and above that which we are served with now.

Admiral, can you comment on the situation generally, and let me pose these questions to you now and let you respond in your own time.

First of all, would you comment on the search and rescue capabilities of helicopters versus ships?

Would you tell me about any of the new technologies that are especially useful for search and rescue that would indicate their deployment on new aircraft and vessels? Specifically I have in mind the AIREYE sensor package.

I am interested in your analysis of establishing the cost of the search and rescue helicopter base somewhere in the Gulf of Maine.

Also, the Coast Guard has indicated that the number of incidents requiring assistance is too small to warrant the cost of such an installation in the Gulf of Maine, and maybe you can tell us what the level of need would have to be before the Coast Guard would determine that to be financially feasible?

n the article that I am submitting for the record, in Maine
mmercial Fisheries, Capt. Richard Rybacki of the Coast Guard in
aine indicated that important improvements in local search and
cue efforts could be achieved.

wonder if you might comment on what could be done in the
lf of Maine to enhance search and rescue if helicopter service
nnot be provided?

Sixth, could you comment on what improvements might be made
life saving devices on existing equipment and any modifications
survival suits that might prolong the life expectancy of the
hermen or other persons in winter waters in the North Atlantic?

appreciate your comments generally and your responses to
se questions in writing which I will submit for the record.

The following was received for the record:]

[From the Maine Commercial Fisheries, March 1980.]

sco Bay Disaster—Hopes Are Stirred for Search and Rescue Cooperation

(By Bill Donnell)

arpswell.—Thursday night, February 21, found a very sober standing-room-
y crowd of 150 spilling out of the Harpswell Island School's auditorium and into
corridor. Made up of area fishermen and their families, representatives from
ernment emergency rescue agencies, and other concerned citizens, the crowd
ened and discussed the current problems and possible solutions to improving
rch and rescue operations in Casco Bay.

ver the past few years several fishermen and their friends, who have been aware
he problems, have been exerting pressure on the Coast Guard and Maine's
gressional representatives to update and improve the search and rescue proce-
es in the area. For the most part little has been done.

owever, the January 31, explosion and sinking of the 42-foot fiberglass *Spring*
and the subsequent exposure deaths of Harpswell fishermen Michael Waddle
his brother-in-law David Fournier, has apparently as the catalyst that may
t serious concrete action towards resolving some long recognized area problems
ommunications and rescue procedures.

15 HOUR SEARCH

oats were on the scene very shortly after the late afternoon explosion and fire,
the two men weren't found until the following morning, some 15 hours later—
late to save them despite dramatic efforts by medical teams. That night zero
peratures, rough seas, and freezing spray plagued the searchers, forcing many
ller boats to drop out of the effort. Another factor seriously hampering search
rts was a lack of coordination in communications and search procedures between
Coast Guard and fisherman.

lthough both men were wearing survival suits, they apparently hadn't had time
ut them on properly. Despite this, many feel the chances of finding them sooner
saving their lives would have been far greater with better communications and
ch plan.

ne of the prime movers in organizing the meeting was Robert E. Waddle, father
ne victim and father-in-law of the other. Waddle told MCF his basic goal was to
to prevent such a tragedy from happening again. He and others feel that a
er system of radio communications, search procedures coupled with actual prac-
rescue drills could prevent future tragedies. They also feel it is vitally impor-
to spread the knowledge of cold water survival techniques and gear and the
wledge of the real dangers of hydraulics and other hazardous materials often
ied aboard boats.

was to this end that the Thursday night meeting was called. Participating in
discussions and making brief presentations were representatives from the Coast
rd, Navy, Maine Department of Marine Resources Warden Service, Sea Grant
isory Service, and the Maine Division of the American Trauma Society.

SAR UNIT

U.S. Coast Guard Captain Richard Rybacki of the local Search and Rescue (SAR) unit in Portland that acted on the *Spring Tide* tragedy, admitted that confusion in communications and search procedures had frustrated the search. But, "Things can be done, right here between us," said Rybacki. "We can work on better cooperation in communications and search procedures, and we can do much more on survival education," he said.

Preliminary steps towards these goals have begun, and Bailey Island fishermen Martin Wyman has been chosen to represent area fishermen in working out and acting on cooperative effort plans. A practice SAR drill involving everyone has been planned for this coming July.

For a long time area spokesmen have been unsuccessfully pressuring Washington to station a helicopter nearby. Currently the nearest helicopter base is at Cape Cod.

Maine Heliport $8 Million

The Coast Guard has told Maine's Congressional delegation thay they can't support a Maine station "Budgetary constraints can't handle it," said Rybacki. "You just can't bring in one helicopter and drop it off at the Brunswick Naval Air Station," he explains, A helicopter rescue unit means 3 helicopters so there's always one copter and crew in readiness. It also means close to 100 backup personnel, hangars, etc. for a total cost pushing $8 million, explained Rybacki, "We can't do much on this tonight . . . it's a political and budget problem," he said.

"Communications is a major problem," was Cliff MacDonald's sharp and brief summary of the situation. MacDonald, a welder and radio operator from Orr's Island is widely recognized as the area's unofficial communications chief. He has been working informally with the Coast Guard for 9 years. Reportedly his gear can scan 180 channels, and he can chat with vessels 100 miles out.

"Bailey Island is halfway between the Coast Guard's Portland and Boothbay stations," said MacDonald. It takes the Coast Guard about 1½ hours to arrive on the scene, he said. But with good communications and coordination fishermen who can get to the scene in a matter of minutes could "get things happening" said MacDonald. We could even provide local pilotage for the Coast Guard and others joining the search party that aren't familiar with local waters, he said. In rescue calls a man working the area would be the boss, he knows the ledges, he suggested.

"We're already holding meetings, and can get things going without 5 cents expense," MacDonald told the group. "The boats are willing, just get the communications. Then we can move quicker next time God forbid if need be" he said. MacDonald suggested that the red phone, used for fires and local emergencies could be expanded to include waterborne emergencies.

BETTER PROCEDURES

Communications is a real problem "we've got to be on the same channels talking the same language" said Brunswick physician Dr. Gerald Klein, a member of the American Trauma Society, has long been active in the push for better rescue procedures in the area.

"Time is of the essence," Klein repeatedly told the group. But saving time in the actual search for marine casualties isn't enough by itself. He emphasized that all SAR plans had to include plans for getting survivors to the proper medical facilities as quickly as possible. That can be as important as quickly locating survivors, stressed Klein. The planned rescue include this important phase of rescue plans, Klein explained.

Klein told the group that a series of public informational meetings on cold water survival and rescue procedures is planned. They will be in memoriam to Waddle and Fournier, he said. The first will deal with hypothermia and will be held at Bowdoin College's Dagget Hall on March 30, at 3 p.m. Speakers will be Dr. Murray Hamlet and Dr. Alan Steinman. Hamlet is Director of the Army Cold Research Center in Natick, Mass. Steinman is Cold Expert for the Coast Guard Command in Washington, D.C. The hall seats over 200, said Klein, as he encouraged everyone to attend.

Sea Grant's cold water survival expert Robert Pratt found a very receptive audience to present slides on survival and to demonstrate cold water survival gear to. Pratt pointed out that if you really want to see what's apt to happen, try putting your bare arm right into the water. "Just about 3 minutes is all you can stand," he said.

LIGHTS AND BEACONS

"If there's a lesson to be learned from this latest tragedy," said Pratt, "It's that survival suits alone aren't enough. Time is the bottom line," Pratt explained as he displayed several lights and radio beacon devices. He emphasized that victims equipped with one of these would probably be located quicker.

Several in the audience were a bit shocked when they asked Pratt for the prices on some of the gear he had on hand. Survival suits run from about $265 and up, and EPIRB's (Emergency Position Indicating Radio Beacons) run about $150. Pratt admitted these represented pretty hefty price tags for many, but he pointed out that the insurance companies are taking steps to sweeten matters a bit. Some insurance companies are now giving 20 percent off the yearly premium for P&I insurance to boats and vessels with this gear aboard. At the cost of P&I it doesn't take too long before you've paid for your survival gear, explained Pratt.

In the aftermath of the tragedy, questions about the effectiveness of survival suits have surfaced. Although the two Harpswell fishermen were able to hastily don their suits, they failed to survive. And, although the suits are designed to provide searchers with a highly visible target, in this case with the men unconscious they didn't.

Evidence suggests that the two men were either blown overboard before they got into their suits, or they were only partially into their suits before going overboard. In all probability cold water was either in their suits right off or soon entered them. Then, later as the unconscious men floated, only a very small portion of the back of the suits was visible to searchers.

SUIT CHANGES PREDICTED

Prior to this tragedy, there has been only one previous death in a survival suit over the past 5-6 years they've been on the market, Pratt explained. The manufacturers just haven't as yet had to deal with the "wet problem", added Pratt. He predicted changes will be made from the lessons now learned.

The Coast Guard representatives agreed with Pratt that devices that are either noisy (whistles can be heard better than shouts and use less energy), highly visible lights or radio beacons were really a necessary adjunct to a survival suit. They can speed up the location of survivors which is really necessary, especially in these frigid waters.

Coast Guard Lieutenant Kit Grimm said that the new Coast Guard regulations call for waterproof strobe lights and flame orange patches to be attached to all life preservers.

SURVIVAL GEAR

Department of Marine Resources Warden Ron Dolliver told the group he's "been sitting there steaming all evening." Dolliver pointed out that it now should be clear why survival gear and its accessibility is so important. He gently chastened the group for giving him and other wardens a bit of a hard time when they ask them about their gear and its location. "You guys keep the stuff all locked up forward so no one can steal it . . . you've got to get the stuff where you can reach it in a hurry," said Dolliver.

Several had questions about the amount of information the Coast Guard requested before responding to a call. Some wondered if getting all the information beyond certain essential facts, wasn't wasting valuable time. Lt. Grimm said they'd be surprised how many crank calls the Coast Guard gets. Getting as much information as possible helps rule out false alarms he explains. But all present admitted when you got a call from some one like Cliff MacDonald it was for real and everyone better get moving. Capt. Rybacki pointed out that was one of the real reasons for the Coast Guard getting out and "putting names with faces" to learn who was who.

As the meeting wound down it seemed apparent that everyone agreed that plans were needed to start a search in an orderly fashion until the Coast Guard and other rescue units arrived and then all talk and work together as efficiently as possible. As Rybacki pointed out, there are many technical items to thrash out, and "they can't all be solved tonight." But to many there appeared good grounds for hope that everyone might now be willing to work together to provide the long recognized need for better SAR procedures in Casco Bay area.

Questions Submitted by Mr. Emery and Answered by Admiral Hayes

Question. Would you comment on the search and rescure capabilities of helicopters versus ships?

Answer. We view helicopters and cutters as complementing each other in search and rescue. They each have strengths and weaknesses that must be considered on a case by case basis. For example while helicopters have the advantage of speed for response and searches, cutters can remain on station longer, operate under more severe weather and sea conditions, and tow a vessel if necessary. It is because of these complementing factors that we use a mix of aircraft, cutters, and small boats in responding to the wide range of Search and Rescue cases we encounter every year.

Question. Would you tell me about any of the new technologies that are especially useful for search and rescue that would indicate their deployment on new aircraft and vessels? Specifically, I have in mind the AIREYE sensor package.

Answer. There are several items the Coast Guard is studying that could be useful in the Search and Rescue Program. The AIREYE sensor package, while developed to detect oil on water, may have some utility in SAR cases. the APS-127 radar that will be installed in the HU-25A Falcon Jet will, in a 1-2 foot sea, detect a coastal freighter at a range of 37 miles, whereas current radar could only detect a similar target at 13 miles. A budget request will be submitted to replace the radar in the HC-130 with this newer equipment. Another airborne system is the Forward Looking Infrared Radar (FLIR), which will be installed on the new HH-65 helicopter in 1982, and will dramatically improve our night search capability. A Side-Looking Airborne Radar (SLAR) that was originally developed for use on HC-130 aircraft to detect icebergs has proven to have potential for search cases. Finally, we are equipping out primary SAR boats with Loran-C navigation equipment, which will significantly improve their search capability in offshore areas.

Question. I am interested in your analysis of establishing the cost of the search and rescue helicopter base somewhere in the Gulf of Maine.

Answer. An engineering estimate for a helicopter station in 1982 dollars is approximately $12,000,000. This includes a hangar large enough to accommodate four short range helicopters, separate bachelor quarters with messing facilities, auxiliary buildings for storage and family housing.

Question. Also, the Coast Guard has indicated that the number of incidents requiring assistance is too small to warrant the cost of such an installation in the Gulf of Maine, and maybe you can tell us what the level of need would have to be before the Coast Guard would determine that to be financially feasible?

Answer. There is not a specific number of cases or a financial crossover point that automatically dictates the need for an air station. Rather it is a case of insuring that the location and mix of ships and aircraft is adequate to meet the demands in the maritime area. As we do in all areas, I have analyzed our performance in the Gulf of Maine. I am convinced that the present location and mix of ships and aircraft can best meet the demands in both the Gulf of Maine as well as the entire New England area.

Question. I wonder if you might comment on what could be done in the Gulf of Maine to enhance search and rescue if helicopter service cannot be provided.

Answer. The majority of cases in the Gulf of Maine are within 25 miles of the coast. From Jonesport, Maine to Gloucester, Massachusetts, there is one high endurance cutter, two medium endurance cutters, two patrol boats, eight stations and bases with a total of 46 small boats assigned. The present allocation of surface units adequately satisfies the present search and rescue requirements in this area. We are constantly reviewing overall search and rescue needs and reallocating our resources to best satisfy these demands.

Question. Could you comment on what improvements might be made to lifesaving devices on existing equipment and any modifications of survival suits that might prolong the life expectancy of the fishermen or other persons in winter waters in the North Atlantic?

Answer. Fisherman through their efforts can increase their own safety. This can be done through both training and provision of safety equipment. Carriage of EPIRBS (Emergency Position Indicating Radio Beacons), exposure suits and liferafts have a very positive effect if a vessel must be abandoned. EPIRBS have made a notable improvement in the U.S. Coast Guard's ability to locate distress vessels; exposure suits and improved liferafts have been credited with saving in excess of 250 persons over the past few years. Skill in the use of safety equipment is essential and training is the key. Several improvements are in progress for these items. A new EPIRB operating on the maritime VHF-FM frequency will complement the Coast Guard's shore-based VHF-FM system. CG approved exposure suits have an inflatable flotation feature which makes them superior to earlier models. Finally, many liferaft manufacturers are improving the stability and survivability of their rafts. The Coast Guard is active in R&D and testing to aid development of these improvements.

VESSELS VERSUS AIRCRAFT

Admiral HAYES. I suppose one of the interesting things to look at throughout the entire Coast Guard is that first question you posed, that is vessels versus aircraft. We, over many, many years, tried to find ways of analyzing that kind of a question, and I think the answer finally comes out that it is not an either/or.

In order for us to carry out our search and rescue capabilities adequately, what we have is a team and the team really is a combination of aircraft, of vessels, and of small boats. And if you look around the Coast Guard, I suppose what we have today is a synthesis of that kind of analysis because we do have air stations, we do have larger search and rescue vessels, and we do have the many stations that operate small boats.

So I think it depends on the circumstance.

If somebody is in trouble and there is no vessel nearby, the quickest way to get to them is clearly by helicopter, by air. As far as the rescue capability, it has to be a helicopter obviously and not a fixed wing aircraft. So we use our helicopters a great deal for the actual direct rescue.

For towing a vessel, for assisting in the surf, that kind of thing, a boat is better. Of course, for larger vessels our ships are used less frequently.

NEW TECHNIQUES IN SEARCH AND RESCUE

With respect to new techniques in the search and rescue field, AIREYE, you referred to, of course will be the package that we will install on the new medium range surveillance aircraft.

Now, that particular package is not specifically designed for the most part for search and rescue but rather surveillance with respect to the marine environmental protection program, and the offshore enforcement program.

Mr. **Emery**. But it does have infrared sensing devices, does it not?

Admiral **Hayes**. Obviously, this aircraft will have improved air capabilities in respect to radar and its infrared sensing devices. My big hope there, Mr. Emery, is our R. & D. effort that we now have underway which will close out in the 1981 budget, to put infrared on our helicopters; that is going to have a major effect upon our ability to find people in the water and to locate vessels.

Now, you were asking about improvements that can be made with respect to equipment. I can certainly tell you from my experience in Alaska that once we convince the fishermen that survival suits could save their lives, and once the fishermen saw a number of others who survived up to 10 days in freezing and below freezing weather, they were convinced; and we began to save a lot of lives up there that we otherwise would have lost.

Mr. **Emery**. I guess the point that I would like to make there, just to clarify it, is, at least one of these two men—and I think both of these men—had survival suits on. The question is whether they had physically enough time to put them on properly.

Admiral **Hayes**. Yes, and, of course, if they did not, then obviously, they do not do any good.

You talked a bit about equipment on Coast Guard vessels.

One of the innovations that is looking extremely promising with respect to the use of boats, is the Avon type of semifixed hull, rubberized hull boats. It looks as if it has two pontoons, if you have seen it, with a platform in between.

We put our people on it with wet suits and they can survive almost any kind of weather. So that is an innovation that we are considering has promise.

With respect to Captain Rybacki, the group commander at Portland, indeed, he has been talking with the local fishermen, and the things he has been doing are these: taking charts of the local area and providing local names for places so that our people and the fishermen can communicate, one of the problems we all have these days.

Second. Predesignating individuals whom the Coast Guard can contact in the event of a casualty.

Third. Training local fishermen themselves in search and rescue techniques where self-help is the most immediate thing available, which may occur anywhere.

Finally, looking to develop a joint plan with adjacent search and rescue stations in the group to work with the fishermen. So I think we are making progress there as well.

Mr. **Emery**. Admiral, even if it may be too expensive and not cost-effective to place helicopters independently in Maine, either in Portland, or my hometown in Rockland, or at the Brunswick Naval Air Base, is it feasible to employ a helicopter there at times of the year when the boating accidents are the heaviest, or deploy a helicopter there during a stretch of bad weather, simply so that helicopters would be there when the probability is the highest of need?

[The following was received for the record:]

HELICOPTER DEPLOYMENT TO GULF OF MAINE

We have run a patrol similar to the one you have described. The statistics kept during the 1977 and 1978 deployments indicate eleven responses in 1977 and two in 1978. Further analysis of the deployment concept revealed that this deployment actually reduced the Coast Guard's ability to respond to the remaining New England area. This was due to the fact that while the one ready helicopter was deployed to the Gulf of Maine area, the Search and Rescue readiness posture at Cape Cod was reduced from two to one helicopter. It was determined that it was more effective to keep both helicopters at Cape Cod. In 1979 we were able to meet the needs in the New England area including the Gulf of Maine with both ready helicopters operating out of Air Station Cape Cod.

Mr. **Emery**. Following up on that question quickly, the previous testimony has been that——

Mr. **Biaggi**. The gentleman's time has expired.

Mr. **Emery**. Will the gentleman allow me to finish this question very briefly?

Mr. **Biaggi**. Briefly.

Mr. **Emery**. The testimony has been in the past year there were 25 accidents requesting an aircraft response.

Let the record show that there were 24 in 1975, 23 in 1976, 23 in 1977, 24 in 1978 and, last year, 25, the magic number. It gets pretty close, Admiral, and I wish the Coast Guard would give us further consideration.

I thank the chairman very much for his patience.

Mr. **Biaggi**. I would like to recognize the gentleman from Alaska and acknowledge the fact that he has been elevated to the lofty, regal post of ranking minority member. We have worked very closely in the past with a great degree of cooperation; and we look forward to a continuation of that relationship, Mr. Young.

Mr. YOUNG. Thank you, Mr. Chairman.

I look forward to working with you and accepting this responsibility of the ranking member with a great deal of enthusiasm.

Admiral Hayes, Commandant Hayes, excuse me, it is a pleasure to have you before us as an Alaskan, as I consider you to be, because of your service in Alaska and the excellent service it was; it is an honor to have you before us representing the Coast Guard.

I, as you well know, have a great interest in the Coast Guard. I would like to comment on the gentleman's leaving on the wet suits. You have done an excellent job with the survival suits; we have had a good record this year of recovery of ships that have been in distress and those that have actually gone down; we have had a high percent of retention of life and it can be a matter of education and you learn very quickly in those cold waters.

So I want to compliment you on that. I have a great interest in a series of subjects; but one of them is: since the President has exempted the Armed Forces from budget cuts, have you asked for consideration to be given to exempting the Coast Guard from cuts?

As you well know, the President's budget has some severe cuts and, according to your testimony, you are undermanned and underfinanced.

BUDGET REQUEST TO OMB

Have you attempted to request this out of OMB or the President?

Admiral HAYES. Not directly, Mr. Young. I think it was clear that, with respect to the Secretary's decisions having to do with the Coast Guard, and that general executive branch cut, he very definitely took that into consideration; and I certainly feel that looking at the budget climate that the President was facing and the decisions that he was making, that we were most fairly dealt with.

Mr. YOUNG. Hopefully, we are going to be able to change that. I have a running battle, the Department of the Interior is asking for a $2 million increase, and for nothing, where we have an actual force, the Coast Guard actively involved in search and rescue and surveillance of the 200-mile limit. I just hope he gets his act together and sets his priorities in the proper classification.

Admiral HAYES. I might argue, Mr. Young, that we would get a part of that action.

COAST GUARD STATION IN ALASKA

Mr. YOUNG. I hope you get part of that action.

Given the increase in fishing activities—and you are aware of the activities in Kodiak and those areas—it appears that additional Coast Guard air stations will be necessary in the near future to respond to search and rescue and enforcement needs.

If this committee makes funding available, where would the Coast Guard suggest that a Coast Guard station be established?

Admiral HAYES. I understand the question well, because while I was up there, that was one of the things in looking at our 10-year plan that we were considering. The most obvious place is Dutch Harbor. At the same time I say that, in looking at the quality of life for our people, when we are thinking about where we locate our personnel and where we are going to be able to operate most effectively from, it may very well be that the answer would be King Salmon instead.

I have having my staff look at the question right now. I think we have not resolved it fully in our own minds and I believe Admiral Duin is likewise evaluating those alternatives.

Mr. **Young**. Because of the increased activities, the Dutch Harbor, even if it was a temporary station, I would look favorably upon that area because there is a great timelag even if it is in Dutch Harbor, between the points of a distress signal and the ability to respond, and that is what we are trying to alleviate.

Admiral **Hayes**. As you are probably aware, Mr. Young, one of the critical factors involved in that is being able to get back in or even to get out. Dutch Harbor, I think you would agree, is one of the more difficult of all air locations to get in and out of in Alaska. That is why we are giving it very careful consideration. It would be better to have an extra 30 minutes or so of flying time, whatever it might take, and be sure that you get there.

Mr. **Young**. I had the privilege to participate in a surveillance operation up there and flew in some very lovely weather, 150-foot clearance, and you have some fine crews in that area. I am proud of them.

I did not take the second landing. I sat down in the hold of the ship so I did not see it.

Along that line, Admiral, the one problem I see coming up, and I notice you have asked for a 37-percent increase in moneys over the President's budget for fuel, for surveillance and rescue——

Admiral **Hayes**. $37 million.

FUEL COST INCREASE

Mr. **Young**. $37 million; that is right. $37 million more.

I have some reservations on that in another factor.

I do not believe that you can put a fixed figure on the amount of dollars in your budget for the amount of fuel that you are going to use.

Have you considered putting down the amount of fuel and forget the dollars?

Admiral **Hayes**. It is just as difficult to forecast either of those figures.

Mr. **Young**. Well, it is a little different. What you got caught with last year is a 46-cent cost for fuel and it went to 96 cents and now that could happen; you are predicting now that it is going to be $1.10, and if it goes to $2, you are back to where you were before.

Admiral **Hayes**. I understand, Mr. Young. We are not permitted to forecast future budgets.

Mr. **Young**. Is there some regulation? You cannot ask for that sliding scale, a surtax.

Admiral **Hayes**. This is the Office of Management and Budget's policy for all elements of the administration, Mr. Young. We are not permitted to forecast inflation increases in our budget.

Mr. **Young**. We are not asking you to forecast the inflationary factor. We are asking you to set the figure for fuel, not for the moneys, so that you have the amount of fuel that you think you may utilize over past records and projected records, not in dollars.

Mr. BIAGGI. Will the gentleman yield?

Mr. YOUNG. Yes, Mr. Chairman.

Mr. BIAGGI. It is our intention to allow for some increases.

Mr. YOUNG. I appreciate that.

Again, I want to stress that I am sure we are going to get the increases in money, thanks to the chairman.

I want to establish, we do not know what the price of fuel is going to be next year; and one of the biggest fears I have, if you are fixed, on a fixed budget, you surveillance has to decrease in the 200-mile limit, and your search and rescue has to decrease if you do not have the fuel. If you have the fuel, that accelerates the cost, of course.

Admiral HAYES. I think I was being a little dense, Mr. Young. I see the point that you are making.

You would like a forecast with respect to the authorization of the number of gallons that we are going to use, and you would authorize it?

Mr. YOUNG. That is right.

Admiral HAYES. We certainly could provide that figure for the committee.

[The following was received for the record.]

FUEL REQUEST

If the amount of fuel required in the fiscal year 1981 budget was expressed in gallons rather than dollars, the figure would be 81,026,446 gallons. This figure includes fuel for aviation units, cutters/boats, vehicles and heating oil for our shore facilities. It is estimated that this requirement will be increased by approximately 3.5 percent in fiscal year 1982 due to the additional fuel required for the new medium range surveillance aircraft.

PRINCE WILLIAM SOUND INCIDENT

Mr. YOUNG. One other question, Mr. Chairman, if I may.

We have had the problem in Prince William Sound very nearly a tragedy. Frankly, I think the accident was a blessing in disguise, because I think it will require the Coast Guard to take a long, hard look at Prince William Sound, with tankers, et cetera, et cetera. I think they came within 45 minutes of total disaster. Yet, they spent 2 days—was it 2 days—yes, 2 days in trying to rescue that vessel. Hopefully, in the future plans that we have, we have a recommendation for equipment or quicker response time that can handle tankers that size; and you have the responsibility of that tanker route, not faced with the tragedy of an oilspill that would exceed anyone's imagination.

Do you have any plans in the future for different equipment? What are your ideas and thoughts on that Prince William Sound operation?

Admiral HAYES. Of course, I do not have the complete report on that particular incident at hand this morning, Mr. Young; but it is my understanding that the tugs were deliberately kept away from the vessel, in the expectation that the power casualty would be fixed and the reason for that decision was that they felt that until it was clear that the vessel was in extremis, that is, about to go aground, that it would be better not to try to put a line aboard under those wind conditions if they did not have to.

My understanding is that the power available in those two tugs that were at the scene, would have been sufficient at least to hold her up. If do not—I have not seen an analysis.

Mr. **Young**. I would like some analysis of that incident; because, you know, being one of waters, the inertia, the movement, I very frankly think that if we had not regained power on that vessel, that the tugs—it would have been impossible. They waited too late. Someone has to make that decision quicker, because there is more at stake than salvage rates or who owns what; there is the stake of every fish that ever swam in those waters and my reputation is at stake.

I said there would never be an accident as long as I am sitting in this chair, of the magnitude of the tanker accident. Someone has to respond quicker.

We had one up in the Pribilof Islands, because he lost power; he got a hole in the bottom of the ship and he sunk, as you well know. It is an awful lot of weight to be following around. If the tugs have the power, then someone should have given them the power sooner.

Admiral **Hayes**. I can assure you that I have asked some searching questions on it. I do not have analyses on it.

Mr. **Young**. Who does have the authority to say when the line shall be passed on, the captain of the freighter or the tanker?

Admiral **Hayes**. No; I think with our present captain of the port authority that we have in the law, our Marine Safety Office at Valdez has full authority to direct that a line be placed on board, and that every effort be made to hold that tanker off the rocks.

So there is no doubt in my mind with respect to authority. It is just that I do not know all the background in the decisions that we are involved in in that incident.

Mr. **Young**. When that occurs, Admiral, I would like to see a copy of that report. Because, again, I think it is serious and it is something that we have to look at. Thank God it did not occur.

Admiral **Hayes**. I concur in that judgment.

Mr. **Young**. Again, as the ranking member, I hope to work closely with the Coast Guard. I think it is one of the real active military branches that we have. With all the condemning, I think it is unfortunate, because you are on the front line, and we need to finance your operation.

I know you are under restraint from OMB, but when this committee has a good recommendation, not based on political expediency, but upon facts delivered to us in different ways, I hope there is some acceptance of whatever we can give you.

Admiral **Hayes**. I would try to avoid being bashful.

Mr. **Young**. Thank you.

Mr. **Biaggi**. Mr. Oberstar?

Mr. **Oberstar**. Thank you, Mr. Chairman.

Admiral, I must say that I share the viewpoint of my colleague from Alaska about the Coast Guard, and the splendid job that you do year-in and year-out, and that service to the people is certainly appreciated by them.

Again, just this past January, I was up in Grand Marais, where the Coast Guard, just a couple of years ago, opened up a Coast Guard search and rescue station, and the people in that community just felt so good about having the Coast Guard there. And of course, hardly within 2 weeks of the opening up of that station, two high school boys were literally saved when their boat capsized in the Grand Marais harbor—saved by the Coast Guard search and rescue team there.

So over and over again, it is a story that is repeated. And if this committee has any criticism that, as Mr. Young says, the Coast Guard may be a little reticent about asking for what it needs, then we think it should be—I think it is our duty to prod you along some.

ST. MARY'S RIVER LORAN C STATUS

I would like to, in that vein, ask about the status of the Loran C system, the third leg which was to be built up near Baudette, Minn., and to complete the system for the entire Great Lakes-St. Lawrence system.

I wonder if you could tell me where that stands?

Admiral **Hayes**. Basically, where we are at the moment, Mr. Oberstar, is that the Saint Mary's River mini-chain experiment, which has been a research and development experiment, if you will, is expected to end during this present calendar year.

At that point we are going to have to evaluate whether it should continue in operations, and how effective it has been.

We are working closely with the shipping interests and others there in that regard. The completion of the chain this month completes the original national implementation plan, and that is the final step with respect to that part of Loran C.

That is about where we stand right now. I think the big question that needs to be answered clearly is whether or not we have adequately demonstrated the accuracy of the system, whether we have adequately gotten the bugs out of what appear to be changes, fluctuations in its accuracy, and whether it should indeed become operational.

Mr. **Oberstar**. Does that mean that the Baudette station will have been completed, then, within this period of time?

Admiral **Hayes**. Yes; the Baudette Station is due to be completed in March, this month.

ST. MARY'S RIVER FIXED AIDS

Mr. **Oberstar**. In connection with that system, last year I offered an amendment to the Coast Guard's authorization for construction, authorization of constructed, fixed aids to navigation in the Saint Mary's River, particularly the Port aux Frenes structure. Nothing has happened with that, even though funds were available through the House Appropriations Committee direction that the Coast Guard should utilize funds for fixed aids to navigation.

Nothing has happened. There were $4 million in damages to vessels traversing the Saint Mary's River in the 1978–79 season, and additional damages during this just concluded season. And we are at the point now of resuming navigation through the St. Lawrence Seaway.

And of course the corps, either yesterday or today, was to make its decision on opening up their operation. We are facing another season. I am sure there is going to be navigation into the isthmus, and we again are facing problems of adequate navigation.

Now, the pilots who take those vessels through the narrow channels and the rivers tell me that Loran C is fine; they are very grateful to have it, especially for open lake navigation. But in the channels it is accurate for up to 50 feet, and heavy winds, you start making a turn 50 feet is not good enough, and they really need the fixed aids, and in testimony that will be delivered later this morning, the pilots are asking for appropriate funding for tested and reliable fixed aids to navigation.

Now these things do not disappear overnight. They have a lifetime of some 40–50 years. I have a list of 14 such aids to navigation, in which these pilots will be testifying. And I would like to have your reaction to construction of fixed aids.

Admiral **Hayes**. First of all, obviously, wherever it is apparent that a channel is going to remain substantially fixed, we have indeed, throughout our entire aids to navigation, tried to shift to fixed aids. There are disadvantages.

When they are struck by a barge or some such vessel, they are demolished, and not necessarily just swept under, and then pop back up again, as frequently is the case with the floating aids.

But nevertheless, they are more desirable. Their ability to withstand ice obviously sometimes is severely taxed.

But generally, yes, where we can install them, we would prefer to.

Second, with respect to that particular stretch of water that you are talking about, the Saint Mary's River, we have already rebuilt one structure this year, and we have two more scheduled for this present fiscal year.

Third, Rear Admiral Fugaro is working those same shipping interests to try to put together a response for the Coast Guard, and whether that is available yet, I cannot tell you, Mr. Oberstar. I can provide some more information for the record, if you would like.

But that is about the extent of my knowledge on the subject.

Mr. **Oberstar**. Well, the curious occurrence that has occurred every year, and we are seeing more winter navigation into the winter months, up to mid and even end of January, is that the Coast Guard removes their lighted and radar reflecting buoys with unlighted buoys and withdraws those unlighted buoys and others that are not equipped with radar reflectors, right at the time when they are needed the most.

I, of course, understand that those aids to navigation can be damaged under ice conditions. But they really ought to be replaced with fixed aids, from the little that I know from personal experience, having seen part of the Saint Mary's River. I know what a tortuous turn that is, and how severe a problem that poses for these pilots who are navigating these 1,000 foot lakers.

Mr. **Biaggi**. Your time is up.

Mr. **Oberstar**. Do we get another chance later, Mr. Chairman?

Mr. **Biaggi**. Yes.

Mr. Livingston?

DRUG INTERDICTION

Mr. **Livingston**. Thank you, Mr. Chairman.

Once again, I want to say how pleased I am to serve on your committee now, and to replace Dave Treen, who is to be sworn in this Monday as Governor of Louisiana.

Admiral Hayes, I want to ask you, recently I had occasion on another select committee, the narcotics select committee, to conduct an investigation—in New Orleans, into the Coast Guard's role, the overall Federal role, in apprehension of narcotics smuggling. The Coast Guard undertakes a very important role through use of its three major vessels in the Gulf Coast area.

I notice that on page 4 of your statement, you indicated that your ocean billets are declining. Does that mean that your function for interdiction, apprehension of narcotics smuggling vessels, is also going to decline?

Admiral HAYES. I hope not, Mr. Livingston.

In looking at that statement in my opening statement, it has to be put in context. The decline that has occurred is taking place over a great many years. I am hopeful that that decline has now stopped.

A part of what occurred was that, when we terminated the ocean station program, there really at that moment in time, unfortunately, was not, at least as considered by the budget officials at the time, sufficient demand for Coast Guard ships to continue them in operation during a low demand cycle.

Unfortunately, within a very few years after that occurred, the Fisheries Conservation Management Act was passed, and we became involved once again in major antismuggling operations to which you are referring.

I believe we will see no further decline in the number of Coast Guard vessels. I am hopeful that the efforts that I am currently making now to expand our fleet, to take care of these expanding responsibilities at sea, will bear fruit, and if that does indeed occur, then I would be hopeful that we would have authorized and appropriate funds for the additional vessels that we have identified in our planning process.

Mr. LIVINGSTON. Was there any such request in your budget request this time around for 1981?

Admiral HAYES. Not under stringent budget conditions, no, Mr. Livingston. We are trying to keep up with our replacement program.

Mr. LIVINGSTON. This Nation is facing a number of very serious problems, but certainly, I would think it would have to be said that the intrusion of narcotics into the country is among the top priorities for this Nation.

And it would seem to me that this mission should in fact be given priority by the Coast Guard. You are doing an outstanding job with the limited resources that you have, and I was concerned that perhaps you do not have sufficient resources.

Admiral HAYES. We have, Mr. Livingston, done studies very recently to identify as best we can what resources we would need for various levels of interdiction.

Generally, to arrive at 50 percentile interdiction level of effort, we have estimated we would need an additional 21 cutters. These would be the high-endurance, medium-endurance, cutter size; 18 of the patrol boat size—this is the 82- to 95-foot category; and 22 fixed wing search aircraft.

So it is a very, very tall order, you see.

Mr. LIVINGSTON. Right now you have the capability of interdicting approximately 10 percent of the traffic?

Admiral HAYES. I wish I had some faith in the credibility of figures and statistics. I do not.

I would say we are probably between, somewhere between, 8 and 18 percent.

Mr. BIAGGI. Would the gentleman yield?

Mr. LIVINGSTON. I will be happy to yield.

Mr. BIAGGI. I do not believe anyone really knows the percentage of interdiction. All I know is that there has been a substantial increase, and the Coast Guard has done an extraordinary job; and that has developed in the last 4 or 5 years.

What we also know is that the Coast Guard is down 25 percent in its cutters. Obviously this calls for a program of rebuilding.

We are all practical enough to know that it is not going to happen overnight, or perhaps within 10 years; but at least as Confucius said, the longest journey begins with a single step.

But, there is no question that narcotics interdiction is enjoying, and should continue to enjoy, high priority. But we have legislation that came out of this committee. It is languishing in the Senate, and hopefully will pass there, that will give the Coast Guard additional jurisdiction and close one of the loopholes, and make this whole operation more effective, rather than as it exists today.

Thank you.

ITEMS DELETED FROM THE BUDGET

Mr. LIVINGSTON. I thank the gentleman for his comments, and I agree with them 100 percent.

In fact, I would like to take a look at that legislation.

Also, Admiral, if I can be of assistance in formulating long-term strategy on that score, I would certainly like to offer my assistance to whatever degree possible.

In comparison of your original budget proposals as they have traveled from your Service on to OMB, and on to the Congress, I notice that several projects have been dropped along the way, and they name budget cuttings, the Polar class, phase I, the 270, MEC COMDAC training facility, ship training simulator replacement, and so on.

Are those items that have been dropped from the budget unnecessary?

Admiral HAYES. I think one could hardly say that.

If they were not important, they would not have originally been submitted.

Mr. LIVINGSTON. So in the matter of priorities, they were the most expendable?

Admiral HAYES. Yes, obviously, we deal constantly with the matter of priorities at the various stages of the budget process, and where reductions occur that priority process is applied.

Mr. LIVINGSTON. I think probably the Coast Guard has increased the percentage of its missions, or rather, the overall scope of its missions in the last 10 years, probably as much as any other agency of the Federal Government.

Can you fulfill those missions without the items that have been dropped from the budget?

Admiral **Hayes**. At some level of performance, yes, Mr. Livingston. And I think that is the basic question at hand.

We can show you what, as best we can estimate, that level of performance would be at a particular budget level. I will say that for the first time at least, this A.C. & I. budget is giving us an opportunity to make some inroads in our shore facilities requirement, and it is, as I mentioned in my statement, providing us with some modest real growth that will let me tackle some of these programs that I think are important.

So I think it is a matter of relativity here when you are looking at what level one wishes to achieve. I guess I would make one final point.

As I look at the $3 billion in property that we saved this past year by preventing loss and assisting, and not in any way assessing the value of human life which was saved, I do not like to play that game, but certainly, that was a return to the economy of a very substantial nature; $2 billion worth of drugs were interdicted, street value, during that same year.

Our total budget is less than $2 billion. So I think we are still a ways yet from a dollar invested getting less than a dollar in return.

Mr. **Biaggi**. The time of the gentleman has expired.

Mr. **Livingston**. Thank you very much.

Mr. **Biaggi**. Mr. Hughes?

Mr. **Hughes**. Thank you, Mr. Chairman. And thank you, Admiral, for your testimony.

I want to echo the sentiments of my colleagues. I think that the Coast Guard does an outstanding job. We see it everyday in my district.

We have the Delaware River, Delaware Bay and much of the Atlantic Ocean that is extremely visible to us on a day-to-day basis.

We understand that what the Coast Guard does, and we appreciate the great work that they do in saving lives and property.

I say that at the outset because I do not want you to misconstrue what I am going to talk to you about. I want to be constructive, and we are talking about priorities for a few dollars and many programs.

We are talking about an inflationary spiral that is ranging upwards to 20 percent on an annual basis, with the Coast Guard receiving more functions, less personnel to handle those particular functions, less able to cope with the problems because personnel is down and its budget cut across the board.

I understand the problems that you must deal with when you deal with the Department of Transportation, and also with OMB. But I am concerned with a number of areas.

SEARCH AND RESCUE REFINEMENTS

First, search and rescue. I had this group in this week to talk with me, and Congressman Forsythe, about some refinements in the search and rescue efforts which you cannot put a value on.

Can you tell me, are there in the wind additional refinements, changes in those instances where you will tow vessels in distress?

Admiral HAYES. It is hard to say what is in the wind, Mr. Hughes.

I think as you are aware, we do have underway a study that we have been working on now for a full 2 years concerning our search and rescue program.

We were directed to take a look at the entire program and see whether there were ways that we might more effectively carry out those search and rescue responsibilities, and whether there were ways to do it at less cost.

One of the obvious outgrowths, one of the options that is available, with respect to performing services, is at some point, charging for some aspects of those services.

I, over the years, have been opposed to the idea of having an across-the-board assessment made by the Federal Government for search and rescue services provided. I have two reasons for that.

One is philosophical. I think that in our Nation today it is kind of nice that our Federal Government is still sufficiently concerned about the welfare of people to provide that kind of service for the saving of life and property.

At the same time, the second reason why at least I would not support across-the-board charges, I think it would be a very dangerous thing to do, because I am afraid it could discourage people who would be charged for this service being rendered from calling the Coast Guard. Then subsequently if a storm blows in, they are in far greater danger than they would have been otherwise, had we responded immediately.

Now having said that, certainly—and here other nations do it in this fashion—one can consider the possibility of after the fact evaluating that somebody negligently, and without any concern for the welfare of the passengers on their boats, or themselves, or whatever, ran out of fuel, or ran aground, or whatever.

West Germany and a few other countries do exact after-the-fact charges, based on a subjective decision as to whether or not it was an actual distress or free towing job.

So it is kind of a long answer, but it is a complex issue.

Mr. HUGHES. I have a good many areas to get over. But I think that is an issue that should be debated by this committee.

I am not adverse to charges. I am aware of those who are careless and go to sea and bring the Coast Guard out. Often it is on a wild goose chase, because when the Coast Guard gets there, they are underway.

I understand the problems, and that is something that we ought to debate.

I am concerned, however, about putting a dollar value on our air and sea rescue. We save lives and property every year all around the country, not just my region. And you cannot equate that in dollars.

In some areas of the country, we have a harsh environment. And to make a determination that the vessel is OK, even though it is in disrepair and can rely on a commercial tower, presents some problems. Because sometimes other problems set in, and by the time you do get to them, we have had a tragedy.

I think that is one area where we have to watch our cuts, and I am concerned about any change of policy in that area.

Admiral HAYES. Certainly, Mr. Hughes, I do not disagree with what you just said at all, and I hope you understand that I have not made a decision to go in that direction at all.

But since you raise the point, I had to respond as of course we are looking at that as one of the questions to answer.

RESEARCH IN POLLUTION CLEANUP

Mr. HUGHES. A couple other things.

I notice research and development is down. We are now about, I think, to undergo perhaps some commercial development in the mid-Atlantic.

Georges Bank is under lease. We have not begun to address the problems of cleanup in that type of an environment.

What do we have in the budget for research, development, test and evaluation of our capability to clean up oil spills in the type of environment that we have in Georges Bank, mid-Atlantic and other regions?

Admiral HAYES. My recollection is in the research——

Mr. HUGHES. OE, operating expense.

Admiral HAYES. In the operating expense, yes, sir. We have a little over $7 million.

Mr. HUGHES. What was requested?

Admiral HAYES. I'm sorry, R. & D. We have a little over $7 million.

Mr. HUGHES. What was requested?

Admiral HAYES. What was requested originally?

Mr. HUGHES. Yes, what was requested at the Department of Transportation?

Admiral HAYES. Can I provide that for the record?

Mr. HUGHES. I would appreciate it.

I am also interested in knowing how far along we are with our research development work.

Also, if you could furnish for the record how we requisition, if at all, the equipment necessary for cleanup.

Admiral HAYES. Certainly.

[The following was received for the record:]

POLLUTION RESPONSE R. & D. REQUEST

$4,765,000 was requested at the Department of Transportation level for oil and hazardous substance pollution response research, development, test and evaluation.

PRE-POSITIONING POLLUTION CLEANUP EQUIPMENT

Commercial companies have little or no capability or economic incentive to deal with pollution incidents which occur in open waters. Therefore, the Coast Guard has attempted to fill this gap by establishing a national network which involves pre-positioning equipment at high spill risk areas within the U.S. Our plans call for the Coast Guard to place open water response equipment at eleven locations (New York, Galveston, Los Angeles, Kodiak, Miami, Philadelphia, Boston, Seattle, Elizabeth City, N.C., Bay St. Louis, Mo., and Hamilton AFB, Calif.). This action is expected to result in equipment being delivered to the designated staging site for an incident within 6 hours after it has been requested approximately 80 percent of the time, while only 1 percent of the delivery times are expected to exceed 12 hours. The sites were selected after studying a spill risk analysis and the logistic support available for the equipment.

SLUDGE DUMPING

Mr. **Hughes**. What is the impact. In the request to the Congress, on our efforts to prevent ocean dumping of sludge, particularly in the New York Bight area?

Admiral **Hayes**. I think we made progress there. Are you aware that we now have electronic devices?

Mr. **Hughes**. Yes, the black box, is that being implemented on all the vessels?

Admiral **Hayes**. As far as I know, yes, it is, Mr. Hughes. And I think that puts that under excellent control.

BARGE ACCIDENTS

Mr. **Hughes**. I wonder if you could share with me and the members of the Committee the results of your investigation with regard to barge accidents?

We have had a series of barge accidents. As I understand it, the inspection by the Coast Guard has been a limited one of barges. We have had a couple of groundings in my particular area, but we have had groundings in other areas, and fortunately, the Coast Guard has responded, and many instances, we have not had catastrophes. But it has been my perception that the barges have gone out when storm warnings were up, when they knew that inclement weather was setting in, and then they hugged the coast to try to avoid the harsh weather.

Their equipment has not been up to reasonable standards, and I wonder if you could share with me, what if anything, you have in the budget that would address those problems.

Admiral **Hayes**. I am not aware of anything we had specifically in this budget, Mr. Hughes, that would address what you have identified as specific problems.

I have to tell you, you are raising relatively new subjects that really I have not yet had presented to me in quite this fashion before.

I just spent yesterday talking with a number of people from the tow boat industry. What did occur, occurred because of an unusually intensive storm, as you well know, that went up the coast there.

Mr. **Hughes**. Admiral, what concerns me is that in a number of these instances, we had several days' notice of an impending storm, and these vessels still went out to Delaware Bay and up the coast. Frankly, we spent literally tens of thousands of dollars in trying to get them off the shoals, or off the beach, or out of the inlet.

Just recently they presented a great deal of threat to a wildlife refuge, the Brigantine refuge, when one went aground. And there are economic decisions often. And it seems to me we have to start addressing the problem of these barges that are going aground. In many instances, they are rust buckets to begin with, they have not used, in my view anyway, the best of judgment, and I understand the economics of the situation are, our barge traffic has increased in our area.

And I had hoped that the Coast Guard was looking at that. I know I have talked to the chairman about it. He is familiar with it, and it is something that I want to get into a little more deeply.

And rather than put you on the spot today, I will just ask you to—

Admiral **Hayes**. Really, I do not feel on the spot, Mr. Hughes.

As a seaman, as a sailor, I would respond to it in this way. I would hope that the Federal Government does not find itself in the position of making decisions on when or when not the vessel or tug and barge should go to sea.

We have a similar authority which we, as you probably know, use very judiciously with respect to recreational boats. We can make a determination that the combination of both person and, shall we say, environment, are unseaworthy, and we can direct that that person not sail that vessel.

Some of the unusual craft that have been potentially used in the transatlantic or transpacific voyages, have fallen in that category, and in a very few instances, we have said no. But for the most part we do not make that judgment about the recreational boatman, that he and his sailboat are not acceptable.

We provide the information to the public.

Mr. **Hughes**. I understand. Maybe what we ought to be looking at, then, is if barge operators make a judgmental error, and are careless, and it requires the expenditure of taxpayers' money, perhaps there ought to be a penalty.

Admiral **Hayes**. That is certainly something to look at, Mr. Hughes.

Mr. **Hughes**. Thank you, Mr. Chairman.

Mr. **Biaggi**. Dr. Evans?

DRUG ROUTE SURVEILLANCE

Mr. **Melvin Evans**. Thank you, Mr. Chairman.

I would like to welcome Admiral Hayes and his associates here.

Admiral, we appreciate the fact in the Virgin Islands that the Coast Guard is doing a good job. We have a great deal of respect for it.

We feel, however, that it has not been adequately staffed and equipped, obviously because it does not have the funds or the personnel.

There is in the Virgin Islands the Coast Guard Auxiliary that does fill the void. Considering the two aspects, much of which have been touched by my colleagues here this morning, we find that we are now on pretty much one of the direct routes in the getting of narcotics and drugs, cocaine, marihuana, into the United States.

As one choke point after another is put under heavy surveillance, you get around to the Virgin Islands.

What plans do you have to augment the surveillance there? It is something certainly that cannot be done by the local government.

Can you enlighten me?

Admiral **Hayes**. Well, of course the specific answer to your question—what additional equipment do I have?—is not any, really, at the present time.

However, Mr. Oberstar might be interested that this winter, for the first time, our Atlantic area commander made a decision to shift on temporary duty some of our resources from the Great Lakes that during the wintertime were not being directly used at those stations, to the seventh district.

Incidentally, that worked very well. The people in the north were kind of happy to go down to the south during those cold months in the winter, and really did a fine job of augmenting some of our boats down in the 7th Coast Guard District.

I don't know whether or not any of those ended up in the Virgin Islands, Dr. Evans, but at least that kind of approach within our existing resources is a possibility.

Now very candidly we have taken a look at the questions that you all have raised down there. We have taken a couple of steps with the resources we have available, including the Coast Guard Auxiliary, at least to try to improve the services that are being provided.

I would point out to you, sir, that we are now at a point where about 25 percent of our search and rescue is being accommodated by our Coast Guard Reserve and Coast Guard Auxiliary.

So your area is not unique in that respect. That is about where we are at the present time.

Mr. **Melvin Evans**. I thank you.

You do recognize, of course, that constraints applied by budget restrictions are severe. But sometimes the answer seems to me very analogous to throwing a 5-foot rope to help a fellow who is 6 feet away. The effort is good but the result is nil.

I think we are losing ground in this, and I look at—I have an interest from two angles, particularly as the country as a whole, and the related spilloff, which occurs, which is making our area pretty difficult to increase the quality of life.

I would hope that you found it necessary to request for additional personnel and equipment in that area.

AIR SEARCH AND RESCUE INCREASE

Let me go on to the next point. The search and rescue, I have a feeling that very often people look at the Virgin Islands and consider it a small population, which it is relatively small.

I wonder how often it is recognized that we play host to a million and a half visitors a year, many of whom come down for the water sports.

Now, I raise this question because the Coast Guard Subcommittee visited the islands last July. We were told that the number of requests for aid did not seem to justify any more personnel and equipment.

Is that not like waiting for a fire before you decide to put in the fire insurance? We know that—Murphy's law, I think it is—that if it can happen, it will happen.

Could you tell me how this plays into your plans for increased air search and rescue?

Admiral **Hayes**. As is true with any of the missions of the Coast Guard, obviously where we are not at a point of close to 100-percent capability to perform that mission—which incidentally we are fairly close to in our aids to navigation mission—it is a matter of priorities. And I suppose that best way to look at it, at least to understand the way we look at it, is to recognize, of that, in establishing new search and rescue units, whether they be air stations, shore stations with boats or patrol boats, we do it on the basis of the best information we have available from that geographic area, and then try to make an assessment as to where the greatest demand is going to be for Coast Guard resources. That is kind of the place we then make an investment.

Mr. **Melvin Evans.** Well, I certainly appreciate it. I just wonder whether or not we are going to be in the same situation as applies in the case of airports where it has been obvious now that we need additional help before we have a major crash with a loss of 40 lives, before we get some action.

I would hope that we would not have a major crash before we have improved search and rescue.

BOATING SAFETY PROGRAM STATUS

Let me ask one last question. As you know, the House passed bill, port safety bill last year, I think it was H.R. 4310, which did not pass the Senate.

In the event it may not pass, what would be the status of your boating safety program?

Admiral **Hayes.** The status of our boating safety program?

Mr. **Melvin Evans.** Yes.

Admiral **Hayes.** I suppose right now one could say that the Federal Boat Safety Act of 1971 has resulted in a substantial impact on boating safety.

That is an improvement in boating safety throughout the country for a number of years, although it is now tapering off. We had a marked decrease in the proportionate number of fatalities with respect to the boats on the waterways.

In other ways, the rate of loss of life was decreasing. Although that appears to be stabilizing now, it suggests to me that our programs with industry, with the State boating law administrators, have been most effective.

Also, we have become a little more sophisticated in the way we have been able to evaluate how we use our resources. We have found that we probably get minimal value of our boating detachments on the water, but have a substantial benefit accruing from the kinds of training which we give to both State and local law enforcement officials, who than apply it in their own areas.

So we are in the process of reallocating our boating safety resource in more effective ways. And I think it has been a very fine program. I think it has worked extremely well, and the wisdom of the Congress has been borne out by the impact that it made.

Mr. **Melvin Evans.** Thank you, Admiral.

Thank you, Mr. Chairman.

SEARCH AND RESCUE COORDINATION

Mr. **Biaggi.** Admiral, can you give us the status of the search and rescue planning between Defense and Coast Guard?

Admiral **Hayes.** I am sorry, Mr. Chairman, again?

Mr. **Biaggi.** The status of the planning going on, on the search and rescue efforts, between the Defense Department and the Coast Guard?

Admiral **Hayes.** Yes, indeed.

We have completed that interaction, Mr. Chairman, and out of it, have developed basically a peacetime search and rescue coordination plan.

I think the efforts that were made in that direction have borne fruit, indeed, we do have a more effective coordination among the DOD Armed Forces and the U.S. Coast Guard.

I think that what the plan does is formalize what even beforehand was a quite effective informal arrangement, but, in addition, what it really has done is given us a much better understanding of resources available, and as a result, an ability to more accurately call on what is needed under the circumstances.

I think it is a good effort, and one that has produced some good results.

Mr. BIAGGI. Is it ongoing?

Admiral HAYES. Yes.

I think my understanding, from what Captain Robbins tells me, is that the plan will come up here as soon as it actually has been signed.

Mr. BIAGGI. Are there enough funds in this budget to enable you to make significant strides toward you objectives, the objectives that you have outlined in your statement?

Admiral HAYES. Let me answer that with respect to each appropriation.

With respect to operating expenses, modest progress, I think, is probably the best way to describe it.

Mr. BIAGGI. Would it be more accurate to say marginal?

Admiral HAYES. Well, at any rate, I think in a tight budget year, in all fairness, we feel that we have been reasonably well dealt with, and yes, it is marginal of course compared to the plans that I have; and that is an honest answer, too.

But there are a couple of areas that, for the first time, we are being able to deal with that we have not been before, and I think it is important for the committee to know that.

ZERO-BASED BUDGET

Mr. BIAGGI. To what extent is the Coast Guard's fiscal year 1981 budget request a zero-based submission? Does it incorporate prioritizing of Coast Guard's missions?

Admiral HAYES. I suppose we come as close to that as one can in today's budget climate, Mr. Chairman.

Yes, it is.

You probably know we have zero based our A.C. & I. appropriation in its entirety. We have zero-based packages for our operating expenses appropriation as well.

The Coast Guard has developed operating plan standards to which we relate our various budget packages, and, of course, our research and development program is zero based each year.

I think it is fair to say that we are pretty close to zero basing every year.

Mr. BIAGGI. That includes scaling down, phasing out, or termination of certain missions?

Admiral HAYES. Of course.

Mr. BIAGGI. And also, transferring some to the private sector?

Admiral HAYES. Yes. That occurs every year as you are aware.

CAPITAL PLANT

Mr. Biaggi. In your state of the Coast Guard address of January 16, 1980, you stated that the Coast Guard's capital plant is unacceptable, especially on ships, boats, and shore facilities, and some of our aircraft.

Would you care to comment on that?

Admiral Hayes. To support that particular statement, Mr. Chairman, I just recently had my Chief, Office of Operations, do a study on fleet readiness. I referred to it earlier in my testimony this morning.

That study clearly demonstrated that on the average less than 80 percent of our fleet was in fact ready for scheduled operations.

When I say ready, I mean ready with its equipment and people to do the job. The reason that that is true lies in two principal areas: one, maintenance, and the other, people.

REAL GROWTH

Mr. Biaggi. The 1981 budget constitutes $166 million increase over total funds authorized in 1980. Almost $100 million increase in appropriations in fiscal year 1980.

How much of this projected increase is real growth as contrasted to inflation?

Admiral Hayes. Of the total, Mr. Chairman, about $138 million is directly attributable to inflation; and about $52 million is real growth.

Mr. Biaggi. Absent additional support, what consequences do you see in terms of the Coast Guard's continuing ability to do its work?

If it is unacceptable now, and we do not raise the level of support, I can foresee down the road that we will be—well, where will we be?

Admiral Hayes. As I pointed out, Mr. Chairman, we are not now, 20 percent of the time, performing scheduled activities. And that has nothing to do, of course, with our search and rescue responses and so on, which frequently will be responded to with resources that are not up to a proper degree of readiness.

So I think the answer to the committee is, We are already there, and that is why I am so concerned about it. That is why I feel it is so important that we make the major impact in this area, getting particularly our ships and boats up to a proper state of readiness.

ASBESTOS HAZARD

Mr. Biaggi. Talking about that, we just had a hearing on asbestos hazards. How much money has been spent on correcting that condition? How much are you asking for, and what have you done generally?

Admiral Hayes. Just a moment to get the figures, Mr. Chairman.

Here we are. During the current fiscal year, we are investing between $600,000 and $1.9 million. Future year requirements are estimated to be $1.8 million in fiscal year 1981. The same amount in fiscal year 1982. About an average of $600,000 thereafter.

So many of our ships, as you well know, are rather old vessels that everytime they go into the yard, part of what we have to spend money on has to do with the asbestos insulation that is in the ship.

I will point out to the committee, of course, that we for the last 2 years have prohibited the use of asbestos in our ship design and ship construction in the future.

Mr. BIAGGI. What are you doing with the existing asbestos?

Admiral HAYES. Of course, what we are doing is either taking steps to insure that it cannot impact on our people or removing it entirely.

Mr. BIAGGI. The question was raised about substitutes being used, and then the question was further raised, How much have we studied the substitutes to see what hazards they might present?

There is no response necessary, but I think it would be important to bear that in mind.

We have spoken about the Coast Guard. What about merchant vessels?

ASBESTOS CONTROL ON MERCHANT VESSELS

Admiral HAYES. With respect to merchant vessels, in the past we really had not done very much, and I think you are aware of that from testimony at a previous hearing.

At the present time, we have a navigation vessel inspection circular which will lay out the recommended procedures for control of asbestos on board merchant vessels and Outer Continental Shelf facilities, in deep-water ports, and we should have that underway and in the field very, very shortly.

What it will do is provide interim guidance to the industry while we take a look in a much more detailed fashion at the regulations that the Coast Guard should write for long-term impact.

So this will be advice, we will expect voluntary support from industry while we begin the regulatory process. We expect by July of this summer to have our proposed notice of rulemaking in the Federal Register.

Mr. BIAGGI. Rather than going to a recess, in the interests of time, I am going to have the chief counsel, Admiral Ratti, continue the questioning.

Mr. RATTI. Were any funds requested in this 1981 budget to undertake any sampling program of vessels to determine the scope and extent of hazards exposed by asbestos?

Admiral HAYES. No funds have been requested in this particular budget. As the committee may or may not be aware, there is underway at the present time a Maritime Administration study which has provided some preliminary results that we are taking advantage of in this navigation inspection vessel circular that we are issuing. We think a separate Coast Guard study would really be duplicative and we are waiting to see the results of what they have in hand.

OIL SPILL CLEANUP CAPABILITY

Mr. RATTI. We have noted that Texas State Senator Schwartz has claimed that the Coast Guard does not have the equipment with the necessary capability of containing or cleaning up an oil spill in open waters off the Gulf of Mexico. He was referring to oil from the spill, the *Burmah Agate*.

Do you have any comment on his statement?

Admiral HAYES. Of course, as Mr. Studds was probing earlier this morning, the capability of the Coast Guard is not equal to the challenge of major spills offshore in all instances. I think the problems that he was raising had to do, one, with our firefighting capability, of course, and I think he partly questioned the decision that was made to let the fire burn out rather than to attempt to put it out, for example.

Second, as I mentioned earlier this morning, the problem we encountered there with our equipment was different from that which we had encountered at the Ixtoc spill. First of all, there was current—we had a very difficult time keeping the booms positioned properly. Second, there was a different kind of product. As a result, we found that the skimming barrier did not clean up as well as it had with a different kind of product.

All it points out is that we still have a ways to go before we fully are capable, if we ever are, of cleaning up an offshore spill.

OVERSEAS VESSEL INSPECTIONS

Mr. RATTI. Thank you.

Let me get in two questions referring to some of the other provisions in the authorization bill.

One is, last year you had a request in for recovery of overseas vessel inspection costs, and that was included in the authorization bill. The subcommittee did not consider it really seriously last year. This year I do not think there is such a request in the—in your submission, but we understand the problem is still there. And could you give us any details about that problem of overseas inspection, merchant vessels, and your recommendation on whether or not any legislation is required?

Would you desire something to be put in?

We have a section in the bill we introduced.

Admiral HAYES. I have looked at that section and most certainly I would be most supportive of that legislative approach. I think that it will solve a longstanding problem, one which has been a stopgap measure, as this committee is fully aware. We have been simply accepting travel in kind in order to be able to carry out that particular function, and I would much prefer not to take that approach any longer than I have to. I would again emphasize that this problem has been exacerbated by the fact that we also have a travel ceiling now which is clearly eating into our capability to do that out of our own funds.

Mr. RATTI. Then you would generally support section 8 of the bill?

Admiral HAYES. Yes, we would

TRANSPORTATION OF EMPLOYEES

Mr. RATTI. OK.

Another on that same line.

In the Secretary of Transportation's reply to our letter on the status of the Coast Guard's legislative program, he mentioned a need to reenact Public Law 95-362. That is concerning the transportation of employees.

I think one of the particular problems was in Searchlight, Nev., if you remember that.

Admiral **Hayes**. Yes, sir.

Mr. **Ratti**. We have been informed that that was inadvertently repealed by an act of Congress late last year. We are wondering whether there has been any change in the situation. Is this something that we could put into the authorization bill and whether you believe it is necessary and needed now?

Admiral **Hayes**. Yes and yes. We would like to see that occur and certainly we would support that.

Mr. **Ratti**. I assume that one of your brilliant lawyers could supply us with some language that would accomplish that result?

Admiral **Hayes**. I think if the committee asks, we would be glad to provide that service.

MEDIUM ENDURANCE CUTTER PROCUREMENT

Mr. **Ratti**. Can you give us an update on the medium endurance cutter program?

Admiral **Hayes**. At the present time, four are under contract and building at Tacoma Boat. We have been authorized to proceed with a multiship, multiyear procurement and an invitation for bids has been issued for the remaining nine vessels of the overall program, over the next several years.

The contract is expected to be awarded around July of this year. Of course, then, the rapidity in which we will make further contract awards will depend upon the authorization and appropriation process.

Mr. **Ratti**. Is that whole procurement generally proceeding on schedule and do you consider that you are getting satisfactory work?

Admiral **Hayes**. I think in fairness to the complexity of the ship being built, yes. The actual timing, we are off about 6 months or so, but I think the—I am sorry, 8 months, but I think the Coast Guard is really satisfied with the job that is being done, and the responsiveness of the contractor, the yardbuilder.

"BLACKTHORN" CASUALTY

Mr. **Ratti**. Referring to the *Blackthorn* casualty, are there any budget implications from that? Is there anything in this budget that refers to that? What type of replacement plans have you considered?

Admiral **Hayes**. Well obviously, at the time that we submitted our budget, we could not forecast such an item. So this specific budget, there is not an item dealing with replacement of *Blackthorn*.

If our presently contemplated approach succeeds, it looks like we will be able to replace *Blackthorn* for a net cost of $1 million. We are looking at the possibility of getting another similar vessel of that class and completing a renovation which would have had to be done on *Blackthorn* in any event, and that net cost, as far as we can see right now, will be about $1 million more than otherwise would have been the case.

I might also mention that because it will take a little while to catch up, that is, to renovate a vessel for replacement, our interim plans contemplate relocation of one of our 180-foot tenders probably temporarily, and that will also then mean we probably will not decommission a couple of vessels up on the Great Lakes that we might otherwise have done in the process of their replacement by the 140-foot tug program.

So there would be a continuation perhaps for a brief time of a couple of those vessels in operation.

Mr. RATTI. That $1 million that you mentioned, is that in the budget or are you asking for that in this year's budget or do you need it or what?

Admiral HAYES. It is not in the budget and I have not quite made the specific decision. So really all I can tell the committee at this juncture is that the plan looks to me, as I have described it, and as soon as we have gotten to the point of decision to the extent the committee has to be involved, we will, of course, be notifying the chairman and asking authority to go ahead as planned.

Mr. RATTI. The chairman of the full committee, Mr. Murphy, has some questions and I will ask Admiral Wallace to propound some questions on his behalf.

MARINE SAFETY DETACHMENT, SINGAPORE

Mr. WALLACE. Thank you.

Chairman Murphy regrets that he was unable to attend the hearing this morning. He had a conflict he could not resolve in favor of attendance. He did instruct me to ask questions on certain subjects unless they were covered by questioning by the members, and further will submit written questions for responses for the record.

Continuing the line of questioning begun by Mr. Ratti on overseas inspections, can you provide a status report on Marine Safety Detachment Singapore? Why it was disestablished and what plans, if any, do you have to reestablish it?

Admiral HAYES. It was disestablished because we were told that we could only have one person there, and I refused to comply with that option. I felt it would be an ineffective way of handling the problem, locating only one person there and, of course, it had to do with the number of people authorized to be overseas.

Since that time, we have had further discussions with the Ambassador, with the shipping communities in the area, and I have reversed my decision to handle the problem in a different manner so we are planning to reopen that office in a slightly different fashion, however, than it was before.

Mr. WALLACE. Are you receiving cooperation from the Department of State and, if not, is there any way that the committee could assist?

Admiral HAYES. No, on the contrary. They are very favorably disposed to our reopening the office, having seen the results of its closing, and I would say we are getting full support from the Department of State.

ACTS OF TERRORISM

Mr. WALLACE. On a subject that has not been touched upon in previous questions, the chairman asked me to observe that the Coast Guard, as the principal maritime law enforcement agency of the Federal Government, has both explicit and implied authority under existing law to protect U.S. ports, vessels in the navigable waters of the United States, and assets on the U.S. Continental Shelf from acts of terrorism.

Could you tell us what Coast Guard programs are presently in force that are designed to protect against acts of terrorism?

Admiral HAYES. Two specific things are either in the process of being done or have been done.

The first, we have gotten together with the FBI and arrived at a memorandum of understanding with respect to mutual support having to do with terrorist activities in ports and on the high seas.

More importantly, I think in the long run, we have with their assistance developed a study plan to try to identify what the likely events really would be.

In other words, what kind of a problem, looking into the future, is it that we are trying to deal with, with respect to terrorism in the areas that you describe.

Obviously, I do not know how that particular study will turn out, but it seems to me once we identify that a little more clearly, what is the nature of the hazard, we will then better be able to coordinate the forces necessary to meet that particular hazard. So I consider that to be one of the more significant of the studies that is done in Government these days and one that I hope will be extremely helpful to us in answering the question of what and where and who ought to be involved.

Mr. WALLACE. Aside from the memorandum of understanding with the FBI, have you established relationships with other agencies, Federal and other law enforcement agencies?

Admiral HAYES. Of course. As I mentioned, we already have done so with the FBI and we have consulted with the Department of Defense, activities that do have capabilities, National Guard, local police organizations, our local Coast Guard organizations, and I think we are making distinct progress in that regard.

Mr. WALLACE. To your knowledge, what incidents involving terrorism in the maritime environment have occurred in recent months, either in or around the United States or the rest of the world?

Admiral HAYES. We have had a variety of threats. To my knowledge, within the span of my time on the job, I am not aware of one that has actually been carried out.

Now, we will reevaluate that after this hearing is over and if there is any correction on that, I will make sure it is made in the record, but to my knowledge there has been none, at least, that has affected the maritime province.

[The following was received for the record:]

TERRORISM IN THE MARITIME ACTIVITY

In recent months there has been a marked increase in bomb threats in the maritime community. Mostly, these threats have been to ships and shoreside facilities. All threats proved to be a hoax. Nevertheless, each threat disrupts services and the cost in lost commerce plus investigating these reports is mounting. World wide, the number of mysteriously caused maritime casualties has also increased. There are those people, in both industry and government, who view these incidents with suspicion and alarm. However, to date there is no hard evidence to support their conviction that it is just a question of time before a serious incident takes place.

Mr. Wallace. Do you have in place now a formal training program for Coast Guardsmen who may be called upon to deal with terrorists?

Admiral Hayes. I think the answer, with respect to a formal training program, is no.

We have had, at various locations around the country, as I mentioned, interaction with local police departments who have that kind of capability, or with the FBI.

What we are trying to do is to avoid duplicating capabilities that already exist in other organizations.

Mr. Wallace. That is all for the moment.

Mr. Ratti. Thank you, Admiral.

Mr. Bruce, do you have any questions?

Mr. Bruce. The questions I have represent the interests of Mr. Davis, Mr. McCloskey, and other minority members. I will submit them to the Coast Guard for response in writing.

[The following was received for the record:]

Questions Submitted by Mr. Davis and Answered by Admiral Hayes

DUAL DRAFT ICEBREAKER COST

Question. For fiscal year 1979, $60 million was authorized for a dual purpose icebreaker designed to achieve maximum efficiency in the Great Lakes. I understand that your cost estimates now are $107 million. Is this increase the result of a more sophisticated design—explain?

Answer. In March 1977 a very crude estimate of $56.4 million was provided for the cost of the Great Lakes Icebreaker. That estimate did not include other program/contract related costs and it came at the time the preliminary design phase was just commencing. Subsequently the engineering cost estimating model has been updated, the rate of inflation has increased and the design has become more specific resulting in additional weight increases. All these factors taken together have produced increasingly accurate cost estimates.

ICEBREAKER MAINTENANCE

Question. What is the percentage of "down-time" for the four icebreakers for which you have budgeted $850,000 in maintenance funds? What is the status of plans for their replacement? Is this funding for spare parts or for contract maintenance?

Answer. Our four oldest icebreakers spent on the average an additional 25 percent of their time in a maintenance status over that which was originally scheduled.

We will be in a position to award a contract for the *Westwind* replacement in mid 1981 provided funds are available. Current plans are to replace *Northwind* no earlier than 1986; *Glacier* by 1991 and *Mackinaw* by the year 2000. All of the funding requested is intended to accomplish major maintenance items some of which will be done by contract.

AIDS TO NAVIGATION IN MICHIGAN

Question. What are the relative merits of aids for Lake St. Clair funded at $800K and for fixed-aids in the St. Mary's River, not funded? (Both in Michigan)

Answer. Aids in Lake St. Clair have been damaged over several winters. Their replacement is considered to be a high priority.

One aid in the St. Mary's River has been rebuilt this year and two more are scheduled to be rebuilt before the end of fiscal year 1980.

Questions Submitted by Mr. McCloskey and Answered by Admiral Hayes

RULE MAKING AND LEGISLATIVE DRAFTING

Question. You have expressed an intention to effect a maximum delegation of rule making and legislative drafting tasks. Explain how you intend to achieve this and its effect on resources? Does this plan also contemplate a delegation of commercial vessel plan review and inspection functions to acceptable private classification societies, such as the American Bureau of Shipping?

Answer. Due to extensive new legislation enacted in recent years, Coast Guard resources have been pressed to the limit. We are trying to seek practical ways to fulfill these statutory mandates, and are talking with ABS about ways to relieve some of the admeasurement workload in the continental United States. We have for a number of years accepted some ABS plan review, and they have been delegated loadline assignment authority also. It's doubtful additional resources would become available if this initiative were expanded further, as it would serve mainly to relieve pent-up demand and reduce backlogs in some areas of marine safety.

Question. The Coast Guard has prepared various legislative initiatives to amend Title 46. What effort has been made to completely re-codify Title 46? How long would such an effort take?

Answer. A total recodification of Title 46 USC was prepared about 7 years ago. It was dropped in the face of opposition by multiple interest groups. About 2 man-years effort was involved, and would have to be substantially repeated due to the many changes in law over the last decade.

U.S. MARITIME CAPABILITY

Question. How do you expect IMCO, the International Maritime Consultative Organization or the Coast Guard through IMCO, to assist in the development of a strong U.S. maritime capability, as expressed before the Appropriations Subcommittee?

Should not the first thrust of your effort be to strengthen your relationship with and improve the productivity and competitiveness of the U.S. maritime industry in concert with the Omnibus Maritime reform bill now before this Committee?

Answer. Internationally recognized standards which have universal application tend to reduce disparities and competitive disadvantages, as they establish a common basis for U.S. and foreign flag operators. U.S. safety standards are not incompatible with the principles of the Omnibus Maritime reform bill, which mostly involves rate making and trade considerations. Unlike F.M.C. and D.O.C. the Coast Guard's primary regulatory function is safety, although we do facilitate commerce through documentation and admeasurement.

OVERSEAS VESSEL INSPECTIONS

Question. Budget estimates reflect estimated overseas vessel inspection costs of $832,000. Could this need be met to any degree by agreement or contract with an appropriate classification society if authority similar to that provided by the Port and Tanker Safety Act of 1978 were provided?

Answer. Overseas commercial vessel inspection costs, partially covered by $832,000, are incurred in support of a wide variety of U.S. flag merchant shipping. Only tanker inspections are included in the authority conferred by the Port and Tanker Safety Act. Coast Guard safety and environmental regulations exceed in scope and type the inspections that classification societies could undertake within the limits of the Port and Tanker Safety Act. Many basic safety statutes which require the Federal Government to inspect the U.S. merchant marine would require revision if foreign concerns or individuals were to undertake such effort.

USER CHARGES

Question. Do you consider the user charge provision of section 8 of H.R. 6672 consistent with provisions of the Maritime Omnibus bill (H.R. 4769) that make it more attractive to U.S. operators to purchase vessels overseas?

Answer. Section 8 of HR 6672 requires that a U.S. merchant vessel owner, who requests inspection of his ship overseas, reimburse the OE appropriation for Coast Guard inspectors' travel and subsistence abroad. This provision permits the Coast Guard to deploy resources in support of the U.S. merchant marine outside the U.S., if requested by industry. These overseas inspections reduce interruption of trade when a ship returns to Conus for safety inspections required under U.S. law and international treaties. It decreases the possibility of U.S. flag operators seeking flag of convenience registration for their ships in lieu of returning them to the U.S. for inspections. The general intent of H.R. 4769 is to revitalize U.S. maritime policy, and Section 8 of H.R. 6672 is consistent with H.R. 4769 in facilitating commerce.

Question. Can I assume that such cost recoveries credited to Coast Guard operating expenses would reduce budget requests to a commensurate degree?

Answer. The Overseas inspections which are currently being performed are done "out of hide", that is, within the total dollar resources available to the Coast Guard, sometimes to the detriment of other areas such as needed plant maintenance. With the passage of H.R. 6672, the overseas inspections would become self sustaining and continued "absorption' of its funding burden would no longer be necessary. For this reason, budget reductions are not contemplated.

COMPUTER SYSTEMS

Question. There appears to be a relationship between your SAR and Command-Central-Surveillance Systems efforts. I understand you have evaluated a computer drive display system at your San Francisco and Washington Headquarters—is this system supportive of many Coast Guard missions and what type of system is planned for development?

Answer. We have a small SAR position demonstration project ongoing in fiscal year 1980 to demonstrate command and control links between a Coast Guard Group and its small boats during actual operations. It's a one time demonstration to reveal possible operational advantages. These types of concepts will be fully examined and developed under our multi-mission command and control effort.

Question. Does your proposal in RD-22 identify all of the capabilities desired? If not, what process will you follow to develop such capabilities?

Answer. Primary efforts in fiscal year 1980 will focus on a detailed analysis of all command, control and surveillance mission requirements throughout the Coast Guard. The analysis of mission requirements will be started to determine the eventual "sizing" and structuring of the service-wide system.

Question. You proposal does not project beyond fiscal year 1981. What are your longer-range projections for project development and funding?

Answer. Command and control R. & D. is envisioned as a multi-year effort. Once the overall requirements have been identified and verified, the multi-mission command and control "architecture" will be developed. Test and evaluation of the preliminary sub-system will occur with eventual incremental stand-off and implementation of subsystem developments. The project area is envisioned for about four more years at approximately $2M per year.

Question. What cost, time and manpower savings are expected from such a system—or are benefits to be expressed in other terms associated with the better protection and recovery of persons and vessels in distress?

Answer. Potential savings from the successful development of a system could be far reaching and would be expressed in terms of both cost savings and cost avoidance, i.e., utilizing resources more effectively through sound operational decisions. The prime benefit will be the more efficient use of operating resources resulting in more effective mission accomplishment. Cost savings and avoidance could then be anticipated in such areas as fuel, personnel, and administrative overhead.

COLD WEATHER/ICE OIL RECOVERY

Question. Reference cold weather and ice technology for oil recovery—this appears to be a major impediment to commerce in the Arctic and in the Great Lakes. Do you have a greater capability than that indicated ($2.2M) for fiscal year 1981, define? What efforts are underway jointly with other agencies or countries in this regard—as with Environment Canada?

Answer. The $2.2M referred to represents our total request for pollution response; approximately $.5M is actually devoted to cold weather response. The overall cold weather program is a multi-year effort and includes close cooperation with the Canadian Coast Guard and Environment in a number of areas.

We are currently negotiating a Memorandum of Understanding (MOU) with Environment Canada for evaluation and field trials for equipment and techniques to detect, control, and remove oil spilled in ice conditions. Currrently, we are participating in a joint test program off Newfoundland of a Coast Guard owned containment boom along with several other booms and recovery devices. Discussion is also underway for cooperative field trials related to oil spreading under ice and detection and removal of oil under ice. In addition, test and evaluation of an oil and debris incineration system developed by Canada will be conducted this fiscal year. It is anticipated that the cooperative program with Environment Canada will span the fiscal year 1980-85 time frame.

CVS REGULATION

Question. Your R. & D. proposals for Commercial Vessel Safety suggest a concern to "provide a basis for effective marine safety regulations", a program mission to "provide a knowledge base that supports—modification—of regulations" and contributes to improved productivity and mission performance effectiveness. It would appear then that new ways to shortcut costly rules are within the preview of your R. & D. program. What effort has been made to develop a different regulatory regime for CVS to insure that outmoded regulations are not imposed on new techniques, that might provide market alternatives to regulation and that might utilize incentive-oriented approaches to safety? What attention has been given to the Systems Approach and Tank Vessel Safety concepts developed by Commander W. D. Snider and others in the Coast Guard?

Answer. The Coast Guard's CVS research and development program has not discovered new shortcuts for safety in merchant marine operations. It does serve to experimentally validate existing and proposed rules. The Snider paper was a presentation privately developed and delivered before a professional society, and did not represent opinions and conclusions of the Coast Guard. However, systems theory in hazard analysis is incorporated into many of the R. & D. projects undertaken. Rule making often succeeds such efforts, and proposed regulations must meet tests for practical benefits in a public forum during the comment period. The elimination of outmoded laws and regulations is highly susceptible to political, as well as economic pressures, and perhaps less influenced by innovative research generally. We are receptive to any suggestions from the private sector for market alternatives to regulation which could utilize incentive approaches to safety. Industry standards, such as found in I.E.E.E., A.S.T.M., and A.S.M.E., form the basis of many regulations.

SAFETY AFLOAT TRAINING

Mr. Ratti. Thank you.

Looking at operating expenses, item 6(c), which is related to afloat training, will the amounts requested in that item enable you to correct all of the deficiencies which were noted in the safety afloat training study that grew out of the *Cuyahoga* incident?

Admiral Hayes. Not specifically. I think the item that has not been entirely corrected is complete renovation of the *Eagle* and replacement of her engine, and in general, a complete overhaul. Our estimate for that is about $4.8 million. It simply was not in the cards, prioritywise, in this current budget.

I will say this, however, she has just recently undergone a major overhaul in the Coast Guard yard, during which time we did spend $1 million by reallocating some other funds to take care most of the most glaring errors, or rather, of the deficiencies that were identified by that study, such things as improving watertight integrity and damage control capabilities and that sort of thing.

Mr. Ratti. I guess the real question is, do you now consider her safe for the purpose for which she is used?

Admiral Hayes. I think the answer is, we certainly do, or we would not sail her, of course.

OUTER CONTINENTAL SHELF INSPECTION

Mr. Ratti. I note that you are requesting only 35 additional personnel to carry out the Outer Continental Shelf Lands Act inspection required by the 1978 amendments.

The committee's question, of course, is whether that is sufficient? How many total inspectors would you need to do this function? And with those 35, can you really fully comply and enforce the 1978 amendments?

Admiral **Hayes**. Well, this is the second phase of our obtaining resources to carry out the intent of that law. We have 60 billets that were received in the fiscal 1980 budget, and this 35 will bring the total up to 95.

The total requirements that we provided the committee was 275. So of course, we are not there yet.

I might point out, though, that this may not be all bad. Trying to recruit and train the number of people we are talking about in today's marketplace is, of itself, a rather difficult proposition.

Consequently, we are probably proceeding as rapidly as we could, whether or not all of those positions had been authorized in the first place.

So we will be able to carry out the most important inspections that are required under the law. We will not be able to do all of them.

Mr. **Ratti**. Well, most of the people doing that function, are they officers or civilian or what?

Admiral **Hayes**. I think most of them in that particular capacity are commissioned officers.

Mr. **Ratti**. And they all require a certain amount of special training to perform the function?

Admiral **Hayes**. Precisely.

RUSSIAN FISHING BAN ENFORCEMENT

Mr. **Ratti**. Has the President's action of a few months ago in which he limited fish—Russian fishing rights, has that made any new demands on the Coast Guard; do you have enough resources to effectively enforce his decision?

Admiral **Hayes**. Not really, and yes.

Mr. **Ratti**. Which order?

Admiral **Hayes**. It posed an immediate problem, of course, because we did have to move some vessels, get them underway from other scheduled activities. But in the long term, no.

Again, it just pointed out to me, in a time when fuel costs are very great concern to us, obviously, there is that kind of impact.

Mr. **Ratti**. As far as you know, the order has been effectively enforced, and there is not a great deal of activity in that area at this moment, is there?

Admiral **Hayes**. I think that is the sort of thing that balances itself out. Once the vessels leave, it reduced the amount of patrolling that we had to do.

So the net effect of today's requirements has just about zeroed out.

Mr. **Ratti**. Thank you.

DULUTH FOGHORN

Mr. **Oberstar** [presiding]. I have a question about a subject that often you have citizen groups complaining about something.

In this case we have a citizen group who is not complaining, but who is anxious to have the Coast Guard return to Duluth, the foghorn. We have some correspondence about that matter, and I would just like you to know, the last report that I had was last fall sometime, about the status of the Coast Guard's efforts to develop a synthesized foghorn sound, and that is important not only for Duluth, but other communities that I understand are seeking return of that comfortable sound.

In fact, there have been people who have moved away from Duluth, and who, after locating in a new home, came back to Duluth, made tape recordings of the foghorn, and played it in order to get them to sleep at night.

Admiral Hayes. That is called a warm security blanket.

Mr. Oberstar. Where do you stand on the development of a synthesized foghorn?

Admiral Hayes. I guess you caught me absolutely blank, Mr. Oberstar.

Mr. Oberstar. If you could, would you submit that for the record?

Admiral Hayes. If I could make a pun, I have not the foggiest notion.

Mr. Oberstar. Well, I understand that some——

Admiral Hayes. We will provide it for the record.

[The following was received for the record:]

Foghorn at Station Duluth

We have found that only 6 percent of all existing Coast Guard sound signals have ever generated complaints from the public about noise pollution. This percentage is diminishing yearly as we baffle, control and disestablish more and more sound signals. There is evidence to indicate that the pure tone is not the dominant problem; rather, people object to continuous operation of signals and excessive signal intensity.

We project a procurement cost for synthesized horns in exess of $10,000 each. No less than $55,000 will be required to complete research efforts; at least that much again will be required for development and testing. Pure tone electronic sound signals now are available for $1,500 to $7,500. Believing that pure tones are not the dominant basis for public annoyance with sound signals, we have concluded that the expense of pursuing further development of synthesized sound signals is not justified. The majority of problems we are now experiencing can be solved with baffles, remote control by fog detectors or station operators, lowered intensities, and discontinuance. We will continue efforts to improve baffling designs and acoustic lenses and to locate sources of competitively-priced air horns.

Mr. Oberstar. I understand that some $50,000 were spent on research efforts by the Coast Guard to develop the foghorn, and I would certainly ask for the Coast Guard's cooperation with the group in Duluth who is attempting to return the old diaphone to that community. And I recognize that there are some questions about cost, about automation of the old foghorn system.

I think they would probably be satisfied with a real, honest-to-goodness reproduction of the foghorn. But there are parts and pieces of the original foghorn which would certainly be a very significant tourist attraction in Duluth if one could be discovered, and reconstructed in that community, and tie in with the Corps of Engineers marine museum, which is the No. 1 tourist attraction in the State of Minnesota.

Admiral Hayes. I was going to say that I do know that our more modern electronic foghorns have a different sound. At least according to our engineers, they are more effective, and sometimes really not as nice to hear.

So that is really about the extent of my ability to respond to you. We will provide a more complete answer for the record.

Mr. Oberstar. I will submit additional questions for the record, and I appreciate the Coast Guard's response.

WINTER NAVIGATION ON THE GREAT LAKES

Mr. Oberstar. The winter navigation program, or extended season navigation program, is at a turning point. The Corps of Engineers has just submitted a report on the findings of the winter navigation demonstration program in which the Coast Guard participated, and I would like to know what you see as the Coast Guard's role in future extended season navigation on the Great Lakes?

Admiral **Hayes.** Well, most obviously, it is a very important and significant role. To the extent that that extension requires icebreaking services to operate, why clearly, we play a very significant role.

I think just as clearly the question, at least, is arising in some of the shippers' minds up there whether or not this is a proper decision from a business standpoint?

My understanding is that a number of them did suffer a lot of damage last year in the operations during the extension period, and quite obviously, also, the Coast Guard is not going to play a significant part in the political decisions that will determine whether or not this occurs.

Finally, I think I would say that our ability to keep the lakes open has indeed been demonstrated as a part of this project, and with sufficient icebreaking resources, quite clearly we can do that.

Mr. Oberstar. Does the Coast Guard concur with the Corps of Engineers, that extended winter navigation is economically attractive?

Admiral **Hayes.** I do not think, Mr. Oberstar, that we have any expertise to make that judgment. I mean that very seriously.

Mr. Oberstar. That is not your particular role?

Admiral **Hayes.** That is really not our function to make that kind of judgment.

Mr. Oberstar. But you are prepared to participate in and to contribute to the keeping of the sealanes open?

Admiral **Hayes.** Most certainly. I think the fact of our designing our dual draft icebreaker to assure that we will have the capability to work in the lakes with that class vessel, along with our new 140-foot icebreaking tugs, demonstrates clearly the Coast Guard's interest in assuring that support.

DUAL DRAFT ICEBREAKER

Mr. Oberstar. What is the status of the design of that icebreaker which was scheduled for completion the latter part of this year?

Admiral **Hayes.** As you know, the Congress directed that it be completed in December of this year.

Sometime ago, I had to advise the various committees of the Congress that, like it or not, I simply was not going to be able to do a competent job in completing that design by that desired date.

We have slipped 6 months. However, I did point out that the net effect of having an icebreaker completed in time, assuming that authorization and appropriation would occur, was that it would be completed in the originally anticipated timeframe, since some of the design changes we were making would permit it to be constructed a little bit faster.

The net effect was that the icebreaker would appear out of the shipyard at about the expected time, although our design period was taking a little longer than we had hoped.

Mr. Oberstar. When will your design be ready for advertising for bid?

Admiral Hayes. About July of 1981, Mr. Oberstar. We have slipped about 6 months.

Mr. Oberstar. I have some other detailed questions that I would like to submit, but I wonder why it was that the Coast Guard used a part of the appropriation for that icebreaker project for other purposes?

About half of it was used for other purposes than the icebreaker design, and did that contribute to the delay?

Admiral Hayes. The answer categorically to the latter question is no.

What happened, Mr. Oberstar, is that originally when we testified on this matter, we pointed out that we could not adequately use the funds that were being appropriated at that time in the design stage, and that we would not be able to begin to use those funds until at the earliest fiscal year 1981. That turned out, of course, to be the case and in the process we had other projects that required changes in funding due to inflation and that sort of thing.

So, really, rather than changing in any way the intent of the Congress at all, with respect to what was to be done, we just pointed out that those funds could be obligated earlier for other purposes, and we would then, of course, ask for new funds later on to support the icebreaker costs.

Mr. Oberstar. But your overall time frame will not be changed?

Admiral Hayes. No, sir. The decisions having to do with reprograming have absolutely zero effect upon completion of design and completion of construction.

Mr. Oberstar. What do you anticipate will be the crew size of this breaker?

Admiral Hayes. Could we provide that for the record, Mr. Oberstar?

Mr. Oberstar. Yes.

[The following was received for the record:]

Dual Draft Icebreaker Crewsize

We expect the new icebreaker to be staffed by 15 officers and 113 enlisted.

Admiral Hayes. My recollection is it is between 90 and 100, but I would like to verify that.

Mr. Oberstar. There are other detailed questions of that kind that I would like to submit for the record as well.

INTERNAL REORGANIZATION

Mr. Oberstar. What internal reorganization changes does the Coast Guard plan or has it already made and what is the reason for the internal reorganization?

Admiral HAYES. We have looked at the question of reorganization, Mr. Oberstar, in two ways. One having to do with our field operations.

In other words, are we organized properly to carry out these various missions of the Coast Guard in today's world? The answer to that question, we feel, was and is yes, and we are not contemplating, therefore, a major field reorganization.

I have to tell you that I am not one who believes in reorganizing unless there are some really valid benefits that are going to accrue from it. We have looked at our headquarters organization from a slightly different standpoint.

I directed a study about a year and a half ago, a little less than that, to take a look at developing a long-range organizational plan for our Coast Guard headquarters in the context of the new job we had been given over the previous decade and directions that we could perceive for our Government generally was taking.

The results of that study were most interesting, and one of the first of the recommendations coming out of that study was to do something about our office of marine environment and systems simply being overloaded because of the emphasis that has been placed on environment and other matters in recent years. Rising therefore from that study my first contemplated reorganization is a recommendation which I have now made to the Secretary to establish an office of navigation. As you may be aware, we have been subject to some criticism with respect to our aids to navigation program, particularly that of our fixed and floating visual aids.

I feel that since this takes up about one-fifth of our entire budget, certainly it merits that kind of organizational attention. We have so recommended to the Secretary. A less significant reorganizational matter we are considering is to combine the offices of boating safety and international affairs, public and international affairs, so that we can free, in effect, a flag officer to take over the new office. Thus, we would not be building up more staff. We will be combining in one area and creating in another.

DECADE OF THE OCEANS

Mr. OBERSTAR. Very good. That sounds very imaginative and in the right direction.

I have personally a question about your labeling of the eighties as the decade of the oceans, and I will ask you to respond on that. You may have some speeches that you may have used and I would be interested in receiving those.

[The following was received for the record:]

DECADE OF THE OCEANS

I selected the "Decade of the Oceans" as the theme for the 1980 Marine Technology Society Conference and Exhibition, which the Coast Guard is jointly sponsoring. (MT-80 will occur 6-8 Oct. in Washington, D.C.). The theme was appropriate because of the obvious requirement for oceans resource development to meet critical U.S. resource needs in the coming decade. The following quote is from the forward in the MT-80 Advance Program, currently being printed.

I have referred to this phrase in recent speeches.

"The Decade of the Oceans," has been selected because of the emerging resource requirements and other evolving demands related to the oceans, coastal areas and inland waterways which the United States, as well as the entire community of nations, have anticipated for the latter years of this millennium. The degree to which existing applications and advancements in marine technology can support our myriad, marine-related domestic needs, while recognizing other international claims for marine resources and ocean space, will be a crucial element in maintaining and enhancing economic viability, national security and international stability.

Mr. OBERSTAR. We have other questions which Chairman Biaggi has asked me to submit in writing on his behalf, and we will do that, and we thank you very much for your presentation this morning.

Admiral HAYES. Thank you, Mr. Oberstar. It has been our pleasure.

[The following was received for the record:]

Questions Submitted by Mr. Biaggi and Answered by Admiral Hayes

OST CUT IN MARINE ENVIRONMENTAL PROTECTION

Question. The most significant reduction in any particular category of the Coast Guard's FY81 budget request was made at the OST level in the operating expenses category of marine environmental protection in the amount of $23 million.

What does this significant budget reduction represent?

Will it hamper the Coast Guard's ability to adequately respond to spills of oil and hazardous substances?

Answer. It will not permit us significantly to improve our ability to respond to oil spills.

It will also require that we redirect our efforts away from other areas of the Marine Environmental Protection program, when necessary to cope with the increasing demands being created by hazardous chemical emergencies, particularly abandoned hazardous waste sites.

PROGRAM STANDARDS/PERFORMANCE GOALS

Question. What is the program standard or performance goal for each major Coast Guard operating program and primary subprogram including:

A. Search and Rescue.

B. Marine Environmental Protection.

C. Enforcement of Laws and Treaties. (1) Fishery Law Enforcement—domestic, foreign; (2) Ocean Dumping; and (3) Drug Interdiction.

D. Marine Safety: (1) Commercial Vessel Safety; (2) Tanker Boarding Inspection—foreign, domestic; (3) Port Safety and Security; (4) Recreational Boating Safety; and (5) Outer Continental Shelf Fixed/Floating Structures.

E. Aids to Navigation: (1) Short-range Aids to Navigation; (2) Radionavigation Aids; (3) Domestic Administration; and (4) Bridge Administration.

F. Marine Science and Polar Icebreaking

G. Military Operations and Preparedness

Answer. For each of our operating programs, there is a program standard which establishes an approved level of performance to be sought. Because of the complexity and multi-faceted nature of these programs, the program standards have been broken down in definitive goals and milestones in order to measure specific resource needs and achievements. The following material describes the goals and milestones that make up the program standard for each of the operating programs requested.

Search and Rescue Program Standard

GOAL	MILESTONE
A.1 Maximize our ability to (1) receive knowledge of SAR incidents, (2) effectively process this information, and (3) direct appropriate Coast Guard action.	A.1.a. Provide 99% SAR communication coverage to a distance of 300 NM offshore and have the capability to directly receive 99% of the calls for assistance.
	A.1.b. Provide the capability to effectively process and evaluate SAR information to aid in selection of appropriate Coast Guard action.
	A.1.c. Assign a SAR facility to take selected action within 5 minutes of initial notification of a call for assistance.
A.2 Minimize the time to arrive alongside the unit requiring assistance.	A.2.a Dispatch suitable "Bravo Zero" resources within 30 minutes after unit notification, in 98% of SAR incidents.
	A.2.b. Locate SAR facilities such that rescue units can, following time of resource departure, arrive on scene or in search area within 45 minutes for 90% of SAR incidents.

Search and Rescue Program Standard (Continued)

A.2.c. Locate 90% of the units requiring assistance within 45 minutes after arrival on scene, or in the search area.

A.3 Improve mission performance by optimizing the probability that a dispatched SAR resource will successfully arrive overhead or alongside and render effective rescue/recovery assistance to the unit requesting assistance.

A.3.a The dispatched resource will have no more than a 2% probability that an equipment failure will occur.

A.3.b. The dispatched resource will have no more than 5% probability that weather/sea conditions will exceed resourc capability.

A.3.c. The dispatched resource wil be manned by a fully qualifie SAR crew possessing the skill, knowledge, and experience required to operate the rescue vehicle safely and effectivel

A.3.d. The dispatched resource wil have available rescue/recover equipment adequate for perform ing the required mission.

Search and Rescue Standard (Continued)

G.1 Improved cooperation between responsible agencies to provide more effective national SAR efforts.	G.1.a Implement 100% of the National SAR Plan through improved effectiveness of Interagency Committee on Search and Rescue (ICSAR).
	G.1.b. Within Headquarters and Districts, maintain effective liaison between,state, local and volunteer SAR groups.
G.2 Improve international cooperation in Search and Rescue.	G.2.a Persuade signatory governments to implement the Maritime SAR Convention.
	G.2.b Maintain an AMVER plot of the world-wide commercial vessels (both U.S. and foreign), which are on offshore or coastal voyages of at least 24 hour duration.

Marine Environment Protection Program Standard

This Program Standard consists of fourteen elements encompassing the four major phases of the Marine Environment Protection program - response, enforcement, prevention and monitoring and surveillance. Several of the goals relating specific milestones are mandated by law.

GOAL	MILESTONES
1. Monitor liquid bulk transfer operations of oil or hazardous substances.	20%-30% of transfer operations involving vessels with a tank capacity of 250 bbls. or over.
2. Board tank vessels to insure compliance with oil & hazardous substance discharge prevention regulations.	10%-15% of all tankships and tank barges.
3. Conduct surface patrols of essential harbor areas.	One per day during day-light hours. one per week during night.
4. Conduct patrols of remote harbor areas.	One per month.
5. Spotcheck liquid bulk waterfront facilities.	One per month.
6. Inspect liquid bulk waterfront facilities.	Two per year.
7. Survey liquid bulk waterfront facilities.	Once every other year.
8. Send monitor to scene of oil discharge to insure adequate removal unless removal not fesible, send monitor to scene of all hazardous substance discharges.	All discharges where Coast Guard is predesignated on-scene coordinator.

Marine Environment Protection Program Standard (Continued)

9. Remove polluting discharges when responsible party fails.	All discharges: when required and removal is feasible.
10. Conduct aerial surveillance flights in port areas handling over 10 million tons of petroleum per year.	Frequency of patrols based on quantity of petroleum handled; delineated in Marine Safety Manual, CG-495 Volume VI.
11. Conduct coastal surveillance flights over territorial waters, contiguous zone and the prohibited zone. (Implementation of the Clean Water Act of 1977 will extend surveillance to 200 miles).	Frequency and density of patrols through prohibited zone delineated in Marine Safety Manual, CG-495 Volume VI.
12. Send Coast Guard representative to scene of all reported polluting discharges; follow through with investigations in support of enforcement actions to be taken.	All discharges.
13. Conduct surveillance of Ocean Dumping Operations.	75% Category A 10% Category B
14. Marine Environmental Protection responsibilities under Title II, Outer Continental Shelf Lands Act of 1978; the Port & Tanker Safety Act of 1978 (lightering activities); and the expanded area of jurisdiction by the Clean Water Act of 1977.	

Enforcement of Laws and Treaties Program Standand

The program standard for fishery law enforcement is to detect or deter 95% of the violations of federal laws and regulations relating to fisheries by foreign vessels and an optimum percentage of violations by domestic ones. The domestic element cannot be more specifically quantified at present because relatively few of the proposed fishery management plans have been developed, approved, and implemented.

The program standard for drug interdiction is to detect or deter 75% of the violations of federal laws relating to trafficking in narcotic or psychotropic substances.

Goal	Milestones
1. Enforce federal laws and international agreements relating to living resources, particularly fisheries and marine mammals.	1.A Detect or deter 95% of the foreign violations of laws and treaties involving fisheries.
	1.B Detect or deter domestic violations of laws and treaties involving fisheries.
	1.C Provide support for other agencies participating in fisheries law enforcement in those areas for which the Coast Guard shares statuatory responsibility or has enforcement authority.
	1.D Increase the enforcement capabilities of patrol units through the application of technological advances and the assignment of law enforcement and language trained personnel.

Enforcement of Laws and Treaties Program Standard (Continued)

2. Enforce federal laws and international agreements concerning the detection, prevention, and suppression of crimes on vessels and in waters subject to U.S. jurisdiction, except those related to living and non-living resources, pollution, traffic control, and port and vessel safety.	2.A Detect or deter 75% of the violations of federal laws and international agreements relating to illicit trafficking in narcotics and psychotropic substances. 2.B Detect or detect an optimum level of violations of federal laws and treaties other than those related to drugs, fisheries, non-living resources or those pertaining to other Coast Guard programs. 2.C Cooperate with other agencies engaged in maritime law enforcement in those areas for which the Coast Guard shares statutory responsibility or has enforcement authority. 2.D Increase the capabilities of patrol units through the application of technological advances and assignment of trained law enforcement personnel.
3. Enforce federal laws and international agreements relating to non-living natural resources.	3.A Identify Coast Guard responsibilities and activity levels required for non-living resource enforcement. 3.B Detect or deter violations of laws and treaties relating to non-living resources.

Enforcement of Laws and Treaties Program Standard (Continued)

4. Prevent loss of life and property resulting from the hijacking and theft of vessels.	4.A Minimize hijacking through early investigation of overdue or missing vessel cases, prosecution of known hijackings, and dissemination of preventative measures to the boating public.
	4.B Minimize the occurrence of vessel thefts through Coast Guard participation in the processing of stolen vessel incidents.
5. Prevent the loss of marine gear resulting from the interference between fixed and mobile gear users	5.A Minimize the deployment of fixed and mobile gear in common areas simultaneously.
	5.B Respond to reports of gear conflicts.
6. Prevent loss of life, personal injury and property damage resulting from civil craft loitering in prescribed maritime danger areas	6.A Minimize civil craft loitering in danger areas through the issuance of information and onsite education of mariners.
7. Cooperate with other Federal agencies and state and local law enforcement officials engaged in the performance of their duties, where the use of Coast Guard resources is in the public interest.	7.A Respond to requests from other agencies for assistance in areas where the Coast Guard has no statutory obligations, but where the use of the unique capabilities of our resources and personnel are mutually beneficial.
	7.B. Provide law enforcement support for the Trust Territories of the Pacific Islands (TTPI) as resources and operating schedules permit.

Commercial Vessel Safety Program Standard, including Tanker Boarding Inspection and Fixed Offshore Structures

This Program Standard consists of twelve goals, dealing primarily with the development, establishment, administration, and enforcement of vessel material, personnel, and safety standards. Each goals is predicated on the assumption of moderate annual growth in the number of U.S. documented vessels and fixed offshore platforms. Goals 1, 2, 4 (except tank vessels), 5, 6, 8, 10, 11, and 12 are mandated by federal statute or international agreement with respect to both task and frequency.

Goal	Milestone
*1. Administer and enforce vessel material safety standards relative to the design, construction, and the equipment on vessels subject to Vessel Inspection laws (Title 52, R.S.)	100% of all applications for initial certification and related plan submittals including factory inspections of items required by law.
*2. Administer and enforce vessel material safety standards relative to the maintenance of inspected vessels.	100% of all applications for certification and dry-dock examinations. 100% of reinspections.
**3. Administer and enforce vessel equipment standards relative to documented uninspected commercial vessels.	Conduct a courtesy boarding and triennial examination at dockside. Goal 33% of all vessels homeported in each marine inspection zone per yr.
*4. Administer and enforce vessel/materiel safety standards for foreign commercial vessels subject to U.S. jurisdiction.	100% of all applications and notifications pursuant to SOLAS.
*5. Develop and establish safety standards.	Vessels subject to U.S. jurisdiction are required to meet minimal safety standards which are the result of regulatory development, interpretive transactions, and international agreements.

Commercial Vessel Safety Program Standard (Continued)

*6. Administer and enforce personnel standards and qualifications for all licensed and unlicensed personnel.	100% of all applicants.
***7. Administer and enforce safety equipment and material standards for offshore platforms.	100% of all offshore structures to be inspected once a year.
*8. Initiate and conduct investigations of reported marine accidents, casualties, violations of laws and regulations, misconduct, negligence, and incompetence.	100% of all reports to be investigated.
9. Conduct surveillance operations and boarding to detect violations of laws and regulations.	Conduct boardings of 5% of vessels homeported in zone annually. Surveillance of marine traffic once a day for violations of law.
*10. Facilitation of marine transportation through the admeasurement of commercial vessels.	100% of all applications.
*11. Administration of vessel documentation laws.	100% of all applications.
*12. Facilitation of marine transportation through the shipment and discharge of merchant marine personnel.	100% of all foreign voyages. 100% of others upon request.

* Mandatory by statute, both task and frequency.
** Mandatory by statute, task only.
*** Proposed Outer Continental Shelf legislation.

Port Safety and Security Program Standard

Goal	Milestone
1. Ensure that all hazardous materials are handled, stowed and stored in accordance with regulations.	1.A. Supervise explosives "A" operations; 100%
	1.B. Monitor Cargoes of Particular Hazard operations; 100%
	1.C. Supervise regulated Radioactive material operations; 100%
	1.D Board vessels to ensure compliance with Dangerous Cargo Regs; 50%.
2. Utilize Coast Guard resources in a system of surveillance, inspection and visibility designed to detect and deter elements that present a potential or immediate threat to the port areas.	2.A Spotcheck designated dry facilities once per month; 100%
	2.B. Inspect designated dry facilities; semi-annually; 100%.
	2.C. Survey waterfront facilities biennially; 100%.
	2.D. Patrol essential harbors twice daily (day and night); 100%.
	2.E Patrol remote harbors monthly; 100%.
	2.F. Provide field units with information on vessels and facilities (MSIS).

Port Safety and Security Program Standard (Continued)

	2.G. Administer, regulate, and inspect deepwater port activity in accordance with established mission performance standards; 100%.
	2.H. Establish inspection and permit procedures for designated facilities; as req'd.
	2.J. Enforce Mississippi River barge fleeting regulations; as req'd.
3. Investigate to determine the cause of all accidents which results in the loss or damage to port facilities, vessels, barges or personnel and identify situations where changes in procedures, regulations or level of knowledge would reduce damages resulting from such accidents.	3.A. Implement proposed Marine Safety Investigation Regulations by investigating accidents and incidents on waterfront facilities; 100%
4. Protect port and waterway areas from acts of sabotage, espionage, terrorism or willful destruction, and minimize the detrimental effects of such acts.	4.A. Board and conduct surveillance of Special Interest Vessels 4.B. Establish and control security zones. 4.C. Meet with other law enforcement and safety agencies to discuss contingency plans.

Port Safety and Security Program Standard (Continued)

	4.D. Maintain a means of screening and limiting access to port facilities.
5. Minimize the damage to vessels, property and personnel, and assist the safe and economic flow of waterborne commerce by controlling, escorting or supervising, and separating vessel traffic or by providing information on conditions to vessels and other maritime interests.	5.A. Manage movement of vessels particularly those handling cargoes of particular hazard; 100% 5.B. Escort vessels carrying hazardous cargoes which present a high risk to the port area 100% 5.C. Patrol safety zones. Continuous patrol. 5.D. Establish and enforce traffic separation schemes; as req'd. 5.E. Investigate alleged wake damages and take civil penalty action; as req'd. 5.F. Determine and implement practical mean of reducing vessel transit time in U.S. ports; as req'd. 5.G. Collect information on vessel traffic in selected areas by means of VTS hardware such as radar and CCTV. 5.H. Distribute information to vessel operators on vessel traffic conditions by means of VTS communication equipment.

Port Safety and Security Program Standard (Continued)

	5.I. Enforce anchorage area regulations; as req'd.
6. Minimize the damage to vessels, facilities and personnel resulting from fires, explosions and catastrophic events in port areas by providing operational assistance to local jurisdictions.	6.A. Identify port and waterway areas where the risk of fires and explosions is high and where existing response capability is inadequate; as req'd.
	6.B. Insure that CG firefighting resources and level of training provide operational units with the ability to respond effectively; 100%.
	6.C. Develop methods to determine potential risks for environmental harm and occurrence of a major disaster that exists in a port or waterways; as as req'd.
7. Minimize the adverse impact upon waterborne commerce in ports and waterways resulting from lack of knowledge planning or cooperative effort by maintaining liaison and contact with media, the public and officials in other agencies.	7.A. Meet with other Federal, state and local law-enforcement agencies to discuss subjects of material interest; semi-annual.
	7.B. Promote public education concerning Port Safety matters by meeting with media representatives; monthly.
	7.C. Pursue special projects and one-time studies relating to Port Safety Programs; as req'd
	7.D. Administration and management for all aspects of the Port Safety Program; as req'd.

Port Safety and Security Program Standard
(Continued)

8. Reduce the numbers of vessel collisions, groundings and rammings resulting from lack of familiarity with, lack of compliance with, or inherent inadequacies in rules and reglations pertaining to navigational safety and the movement of vessels.

8.A. Update and expand navigation safety, regulations; as req'd.

8.B. Implement Ports and Waterways Safety Act, 33 CFR, Subchapter P; 100%.

8.C. Develop amendments to 72 COLREGS; as req'd.

8.D. Provide sufficient VHF-FM monitoring resources for enforcement of the Bridge - to Bridge Radiotelephone Act; as req'd.

Recreational Boating Safety Program Standard

Goal	Milestone
1. Conduct compliance monitoring functions and administer associated campaigns.	1.A. Test 100% of those boat types and appropriate associated equipment believed to be in non-compliance.
	1.B. Process 100% of imported boat declarations.
2. Provide technical information to the manufacturing community.	2.A. Perform informal/technical visits and industry briefings to recreational boat manufacturers.
	2.B. Develop necessary design guidelines, demonstration hardware and pamphlets, and respond to initial queries from the manufacturing community.
3. Administer civil penalties, non-compliance cases/campaigns.	3.A. Process 100% of the Notices of Boarding/Report of Violation and manufacturer violations.
4. Perform defect investigations and administer the associated compaigns.	4.A. Investigate all potential safety related defects.
	4.B. Analyze 100% of reports received and monitor all active campaigns.
5. Perform State liaison for development of programs.	5.A. Establish and maintain liaison with State Boating Law Administrators, including six visits/State/year.

Recreational Boating Safety Program Standard
(Continued)

	5.B. Attend 100% of all State legislative committee hearings on boating safety related bills and regional meeting of State Boating Law Administrators (5/YR)
	5.C. Organize and administer district and State seminars (12/YR).
6. Support and administer the Coast Guard Auxiliary.	6.A Conduct visits to Auxiliary units.
	6.B. Process 100% of data reports and maintain personnel records.
	6.C. Provide administrative rulings, CME/facility decals and PR support.
	6.D. Cover 50% of AUX patrols with CG Orders.
	6.E. Provide technical review and support of public education courses/member training.
7. Coordinate the national boating safety education program.	7.A. Develop a minimum education guide. Review 100% of courses submitted for compatibility with "guide".
	7.B. Develop corrective actions for 100% of identified risks.
	7.C. Implement procedures to encourage nationwide offering of boating safety courses in the school system.
8. Perform necessary safety patrols and enforcement training.	8.A. Train Coast Guard, other Federal, State and local enforcement personnel.
	8.B. Process 100% of the regatta patrol permits.

Recreational Boating Safety Program Standard (Continued)

9. Provide public information.	9.A. Visit key boat shows.
	9.B. Personally contact 100% of TV stations, 25% of the radio stations, and 25% of the newspaper/applicable magazines.
	9.C. Implement necessary media campaigns.
10. Perform accident investigations.	10.A. Investigate 350 accidents per year indepth and all fatalities on joint waters.
	10.B. Review/process all boating accident reports.
11. Administer the State financial assistance program.	11.A. Monitor on-going State assistance programs and the "3%" program and initiate close out activities.
	11.B. Perform periodic and close-out audits.
12. Develop minimum standards and regulations.	12.A. Develop necessary safety standards and operator regulations to reduce boater risk to an acceptable level.
13. Improve the management information system and implement effectiveness measurement program.	13.A. Meet 100% of all requests for data processing and/or analysis.
	13.B. Process 100% of all transactions.
	13.C. Perform necessary program development and analysis functions.

Short Range Aids To Navigation Program Standard

The Short Range Aids to Navigation Program is divided into three primary elements which may be considered to be program standard goals.

(1) Develop and establish systems of aids to navigation

(2) Maintain and operate systems of aids to navigation

(3) Manage and administer systems of aids to navigation

Within each goal, further divisions and subdivisions take place according to the unique nature and specific requirements of each Coast Guard District. As a result, over 250 separate program standard milestones have been defined. For this reason, a complete listing of all milestones would be inappropriate, and the three "aggregate" goals shown above have been used.

Radionavigation Aids Program Standard

The Radionavigation Aids Program consist of four program goals as follows:

(1). Loran-C for the Department of Defense

(2). Loran-C for Civil use

(3). Radiobeacons

(4). Omega

The Loran-A system is currently being phased out. The Program Standard for each goal is aimed at achieving 100% coverage of the signal in its given geographic area.

1. Loran-C for the Department of Defense

Signal to Noise Ratio	1:10
Coverage	11,035,000 sq nm
Availability	100%

2. Loran-C for Civil use

Signal to Noise Ratio	1:3
Coverage	8,492,000 sq.nm
Availability	100%

3. Radiobeacons

Signal to Noise Ratio	NA
Coverage	619,088 sq nm
Availability	100%

4. Omega

Signal to Noise Ratio	NA
Coverage	90% of the world
Availability	100%

DOMESTIC ICEBREAKING PROGRAM STANDARD

Domestic icebreaking performance goals fall within two distinct categories: (1) prevention/control of flooding, and (2) facilitation of waterborne traffic. Flood prevention/control performance goals are to (1) provide icebreaking assistance on a resource availability basis, and (2) to clear ice from channels in critical areas once every two weeks. Performance milestones with respect to the facilitation of waterborne traffic differ by geographic area. These are as follows:

Arctic Alaska - respond to 95% of requests for assistance within 2 days, and all requests within 6 days

Sub-Arctic Alaska - respond to 95% of requests for assistance along the Gulf of Alaska coast within one day from January to April, and to all requests in the Bristol Bay/Bering Sea area within one day from mid-November to May.

Great Lakes - respond to 95% of requests for assistance within 6 hours, clear ice in critical channels twice weekly, and conduct preventive icebreaking in interlake passages as needed.

St. Lawrence Seaway - respond to 95% of requests for assistance within 2 hours and clear ice from channels twice weekly

Northeasten U.S. - preventive icebreaking in Penobscot River and C&D Canal daily or as needed, provide assistance within 2 days on the Hudson River and within 1 day on on Upper Chesapeake Bay and Cape Cod Canal

Upper Mississippi and Illinois River - clear ice from channels twice weekly and respond to all requests for assistance to the best of ability

In addition to the above, flights over these areas are scheduled at various intervals, depending on the geographic area, and routing information to users will be provided.

Bridge Administration Program Standard

Goal	Milestone
*1. Approve the location and plans of all bridges constructed across the navigable waters of the U.S.	***1.A. Provide timely actions on all requests for bridge permits.
*2. Ensure that bridges do not unreasonably obstruct navigation.	***2.A. Timely investigation of all significant complaints and bridges with high accidents rates.
**3. Bridge alteration pursuant to the provisions of the Truman-Hobbs Act.	3.A. 2-5 bridges per year.
*4. Ensure drawbridge regulations are appropriate and complied with.	***4.A. Timely investigations of all complaints and request for regulations.
*5. Assess the environmental impacts of all actions and prepare appropriate environmental documentation.	5.A. All federal actions.
*6. Inspect bridges which have significant navigation.	6.A. Every two years.
7. Conduct transportation studies and/or research.	7.A. As required.

*Criteria mandated by law
**Criteria governed by Congressional appropriations
***Timely action governed by the complexities of the case.

Marine Science Program Standard

There are three categories of activities in Coast Guard marine science:

1) activities which provide operational support directly to the public through the International Ice Patrol;

2) activities which provide operational services to other Coast Guard programs such as Search and Rescue;

3) activities which support general national marine science objectives and the programs of other government agencies, such as the services provided for the National Oceanic and Atmospheric Administration's Data Buoy Program.

Marine Science Program Standard

GOAL	MILESTONE
1. To minimize the hazard of icebergs to North Atlantic maritime transportation.	1.A. Detect, identify, and track icebergs entering Ice Patrol area.
	1.B. Provide iceberg information to shipping transiting the Ice Patrol area.
2. Provide accurate surface current information for use in operational SAR cases.	2.A. Improve accuracy of predicted surface currents in coastal regions for computer based search planning systems.
	2.B..Improve tidal current accuracy in major bays and sounds for computer based search planning systems.
	2.C..Improve SAR methodology.
3. Support Ice Operations Program by providing ice information services and technical support.	3.A. Provide ice information to facilitate ship movement on the Great Lakes.
	3.B. Provide ice and current information to facilitate ship movement in the Arctic.
4. Support marine environmental protection efforts to detect both long-term changes in environmental quality and real-time pollution in the open ocean, coastal zone, and U.S. navigable waters.	4.A. Provide marine science technical support to the Marine Environment Protection Program for environmental protection in the coastal zone and U.S. navigable waters.
	4.B. Provide marine science resources and expertise to contribute to national and international environmental protection programs in the open ocean.

MARINE SCIENCE PROGRAM STANDARD
(Continued)

5. Support the marine science programs of other organizations.	5.A Provide marine science services to the Department of Defense (DOD). 5.B. Provide marine science services to other Federal agencies (DOI, EPA, Smithsonian).

Polar Icebreaking Program Standard

Icebreaking services are performed in the Arctic and Atlantic areas to support Department of Defense and National Science Foundation. These requirements have been evaluated several times in the past, resulting in a conclusion that icebreaker support is required to perform resupply operations. Icebreaking support is also provided to other government agencies on a resource availability basis.

GOAL	MILESTONE
1. DOD/NSF support in Antarctica	1.a. Deploy I/B from Dec. to Mar.
2. DOD/NSF support in Arctic East	2.a Deploy I/B during winter and summer.
3. DOD/NSF support in Arctic West	3.a. Deploy I/B during winter and summer.
4. Support of other Government agencies in polar regions	4.a. Deploy I/B for accomplishment of other national goals.

MILITARY PREPAREDNESS/OPERATIONS PROGRAM STANDARD

GOAL	MILESTONE
1. Review and revise Coast Guard readiness plans.	1.A. Determine the optimum frequency for reviewing and revising the Coast Guard military and civil contingency plans and tasks.
2. Review and revise the Coast Guard crisis staffing procedures.	2.A. Develop contingency staffing procedures for anti-terrorism by FY+4.
3. Plan for, and provide the resources to optimally utilize types of operational training.	3.A. Determine, for the various classes of ships, the optimum participation frequencies for the various types of operational training.
4. Plan for and provide the resources to conduct small arms training.	4.A Determine the Coast Guard job category priorities and the optimal training frequencies for small arms training within the Coast Guard.
5. Plan for and provide the resources to support precommissioning activities for vessels.	5.A WMEC-270 Class precommissioning cycle completion.
	5.B WBAL Icebreaker precommissioning cycle completion.
6. Plan for and provide the resources to improve techniques for identifying Reserve force general MP training requirements.	6.A Review and recommend revision to Reserve training requirements by FY+0 and then at 1-year intervals.
7. Review and revalidate. the Required Operational Capabilities (ROC) of all platforms.	7.A Review and revise the ROC, by FY+0 and then at 2-year intervals.

Military Preparedness/Operations Program Standard (Continued)

8. Review platform combat systems capabilities to ensure applicability to military tasking assignments and other Coast Guard missions.	8.A Review operational platform combat systems capabilities to ensure military tasking applicability by FY+0 and then at 2-year intervals.
9. Plan and develop an improved method for acquisition and installation of combat systems, currently maintained in Navy inventory, which will increase Coast Guard capabilities to readily integrate with the Navy in time of national emergency.	9.A Establish and maintain liaison with the Navy to identify military systems, currently in the Navy inventory, that are applicable for Coast Guard utilization.
10. Plan for and provide the necessary resources to evaluate the effectiveness of existing Coast Guard Contingency, Continuity, and Capabilities Plans through joint operational and command post exercises.	10.A Determine the optimal frequency of participation in joint operational and command post exercises for all Coast Guard Staffs.
11. Plan for and provide the necessary resources to evaluate the effectiveness of operational training programs and unit proficiency through refresher training, multi-unit and individual ship exercises.	11.A Develop evaluation criteria for assessing performance of Coast Guard vessels in military preparedness and other mission areas such as ELT by FY+1 and then annually.

LEVEL OF PERFORMANCE

Question. What percentage level of performance is contemplated in the fiscal year 1981 budget request in each operating program category?

Answer. This budget request satisfies a varying percentage of Coast Guard goals for each program. The percentages of our 1981 program standard goals I anticipate will be satisfied are: Search and Rescue, 71 percent; Aids to Navigation, 96 percent; Marine Safety, 75 percent; Marine Environmental Protection, 61 percent; Enforcement of Laws and Treaties, 60 percent; Marine Science and Polar Operations, 91 percent; and Military Readiness, 62 percent.

Question. Compare in terms of relative cost-effectiveness of alternative strategies for meeting established goals and standards for each operating program, including:

The continued operation and maintenance of existing vessels and aircraft;

Planned service life extensions or replacement programs; and,

Options for future system acquisition or replacement programs?

Answer. Operation of our existing fleet of aircraft and vessels will now allow us to meet our established goals and standards. Many of our ships are not capable of the demanding nature of our current missions. Continued operation of the equipment we currently have avoids the large up-front Acquisition, Construction and Improvement expenditures characteristic of replacement programs but the relatively poor capability of our existing equipment makes this alternative operationally unacceptable.

Planned service life extensions are middle-ground between complete replacement and continued operation of the existing fleet. Generally these renovations—such as the 95' Patrol Boat modernization program and the major renovation program for WLB's (Offshore Buoy Tenders)—are satisfactory only in the short term—5 to 10 years. While some increase in capability is expected, for the most part these renovations upgrade equipment and provide for better habitability. The major advantage is the relatively low up-front cost. Operating costs generally are the same before and after a renovation.

Complete replacement programs as in the Short Range Recovery helicopter (SRR) and 270' Medium Endurance Cutters are expensive, vis-a-vis the other alternatives, but offer the advantage of design to mission need. In some cases, like the SRR, improved productivity will help us gain valuable flight hours over a comparable number of our present helicopter, the HH52A.

Finally, as we enter the 1980's, our replacement and acquisition programs will be guided by the provisions of OMB Circular A-109. Alternative means of meeting mission needs will be considered with the ultimate goal of meeting those needs as economically as possible.

ADDITIONAL PERSONNEL FOR WMEC'S

Question. I note that in Operating Expenses item 3L you are asking for funds to commission and operate WMEC's. To do this, you are taking part of the crews for these vessels from other assignments. Why is this being done? Would it not be better to request additional personnel to crew these vessels?

Answer. Yes, it would be better to request additional personnel to man these cutters. Due to the present economic climate, however, the Coast Guard will have to make management adjustments to provide the additional billets.

LORAN RECEIVERS FOR SAR BOATS

Question. Would you comment on OE item 4b on loran receivers for SAR boats? Are the funds requested sufficient to complete this program?

Answer. 44-foot Motor Lifeboats (MLB) and some 41-foot Utility Boats (UTB) are required to operate offshore for SAR. The only installed navigational equipment on these boats is radar, fathometer, and magnetic compass. At best, their position fixing capability is limited to 5 miles offshore. Enhanced navigational capabilities are needed for MLB's and UTB's to conduct effective, uniform, and reliable search patterns and to reduce any excessive time needed to locate distresses at known positions. Loran receivers will provide SAR boats with the navigational capability needed.

Our request of $330,000 is sufficient to procure and install the first 73 loran receivers. A multiple year procurement is required to equip all 223 SAR boats (80 MLB's and 143 UTB's) which routinely operate more than five miles offshore.

ENERGY CONSERVATION BUILDING RETROFIT

Question. Please explain OE item 5.d. (Energy Conservation Building Retrofit) in more detail. To what extent will the funds requested enable you to reach your stated goal?

Answer. To the $1,335,000 requested will be added approximately $3,200,000 (recurring from prior year programming) in Operating Expenses and $1,500,000 in Acquisition Construction and Improvement Funds to provide a shore facilities Energy Conservation Program in fiscal year 1981 of $6 million. These funds will be used exclusively for projects whose main feature is life-cycle cost-effective Energy Conservation Retrofit of an existing building. We estimate that a total of $33 million will have to be similarly invested through fiscal year 1984 in order to meet the goals of Executive Order 12003. All figures include an allowance for procuring Architect-Engineer Services to assist our in-house engineers in this extraordinary effort.

HOUSEHOLD GOODS SHIPMENT

Question. In recent DOT Inspector General's report, there was some criticism as to the handling of household goods shipments by the Coast Guard and the lack of sufficient manpower to satisfactorily administer this program.

Could you provide us with an overview of this program and the funding implications that might be involved?

Answer. The Coast Guard has over 10,000 household goods shipments per year. As a result of higher priorities and mandatory reductions in both civilian positions and military billets, personnel resources devoted to the program have been reduced over the last twenty years. For example, personnel resources at Coast Guard Headquarters devoted to the transportation function have been cut from 12 to 4 in this time frame. Field activities have experienced proportionately similar reductions.

To properly administer the program the following actions are required:

(*a*) Each member should be counseled prior to each move to ensure awareness of entitlements and procedures.

(*b*) Shipments should be inspected at origin to ensure that only authorized goods are shipped, the shipments are properly packed and that the weights of the shipments are correct.

(*c*) Shipments should be inspected at destination for possible damage resulting from storage and/or shipment.

(*d*) Each carrier facility utilized should be inspected semi-annually to ensure adequacy of storage, equipment and personnel.

(*e*) All carrier's payments should be audited as to rate, weight, etc. prior to certification for payment.

(*f*) All damage claims should be fully investigated to facilitate timely adjudication.

To properly carry out this program, the Coast Guard will require 26 permanent positions at a cost of $536,000 to supplement the current 48 person part-time staff throughout the Service. In addition, the Coast Guard will require 4,000 man/days to seasonally supplement the basic program at a cost of approximately $200,000.

Legislative authority will be requested in fiscal year 1981 to establish a Do-It-Yourself (DITY) Incentive Program similar to that administered by the Department of Defense.

OMEGA STATIONS

Question. Does your budget request reflect the full costs involved in taking over operation of the Omega stations from the Navy?

Answer. Yes, sir.

Of the eight Omega stations, the U.S. will pay for the operation of four. The remaining four stations will be operated at the expense of the partner nations which sponsor those stations. Since all the U.S. operating costs have been paid by the Coast Guard and reimbursed by the Navy, substantial and detailed cost data for system operating expenses are available and have been used to develop the 1981 budget requirements for OMEGA operation. Only a major change, such as a partner nation withdrawal of sponsorship, would increase the requirements reflected in the fiscal year 1981 budget request.

CUTTER-DAY OPERATIONAL SHORTFALL

Question. In your fiscal year 1981 Spring Preview presentation to the Secretary of Transportation, you projected a Cutter-Day operational shortfall approaching 3000 ship days, occurring by the mid 1980's. What impacts upon Coast Guard Mission Performance do you expect as a result of this projected shortfall . . . especially in the areas of Search and Rescue, Law Enforcement, and Marine Environmental Protection?

Answer. The cutter shortage impacts upon all program areas as we currently have an insufficient number of platforms to allow our personnel to obtain the necessary seagoing experience. The SAR, MEP, and ELT Programs are further affected by the cutter shortages as they require cutter use to perform major segments of their efforts. Without additional ship days, it is estimated we will be unable to interdict 80 to 90 percent of the drugs smuggled into the U.S. by sea. A declining effectiveness in our fisheries enforcement mission can also be expected. Currently, 20 Fisheries Management Plans (FMP's) are in effect and it is estimated that we are detecting/detering 75 percent of the fisheries violations. By 1985, 65 to 70 FMP's should be in effect. As many of the FMP's will be in geographic areas not currently patrolled, we are faced with providing no resources to patrol these new areas or spreading existing resources even thinner. MEP and SAR Programs are also affected by our cutter shortfall. Although we will continue to respond to SAR and MEP incidents, increased response times can be expected in those areas where we are unable to provide cutter patrols. MEP missions which will also be adversely affected include the monitoring of lightering operations required by the Port and Tanker Safety Act and our ability to verify compliance with the OCS Lands Act and Clean Water Act.

ROTATION IN SHORE BILLETS

Question. What benefits do you anticipate from a shift to a service wide policy of longer term rotation in many shore billets?

Answer. We anticipate many benefits, but must recognize certain drawbacks:

Benefits: (*a*) Increased job expertise and experience; (*b*) Increased satisfaction to the individual; (*c*) Lesser number of permanent change of station transfers reduces out of pocket expenses to an individual; (*d*) Lesser number of permanent changes of station transfers throughout service reduces expenses; (*e*) Greater family satisfaction in geographic stability; (*f*) Increase commands' abilities to plan for training and orderly reliefs of specific jobs; and (*g*) Increase administrative managers' abilities to budget costs, PCS funds and housing.

Drawbacks: (*a*) Extend tours of duty in areas some members may not desire; (*b*) Unexpected vacancies created by administrative discharges, medical problems, humanitarian reassignments, unexpected retirements, and reliefs for cause might not be filled as expeditiously as some commands desire; (*c*) The number of rotational assignments is not the same for all ratings; therefore the longer tour ashore cannot be offered to all members across the board; and (*d*) As personnel are rotated less often, they hold fewer different positions. This tends to degrade somewhat the multi-mission experience level of these members.

LOGISTICS SYSTEM SUPPORT

Question. In your State of the Coast Guard Address of 16 January, you advocated the adoption by the Coast Guard of an integrated logistics system support philosophy for its major cutters—similar to that utilized for aviation maintenance support. Why is this necessary? Are there any funds in the fiscal year 1981 budget request to implement such a program?

Answer. Inadequate maintenance, supply and training support, combined with declining experience levels, have limited cutter reliability to less than 80 percent. We hope to increase this reliability by the application of an integrated logistics support system which is suitably adapted to the operational requirements, maintenance philosophy and physical capabilities of our major cutters. I should add that we recognize the limitations we face when it comes to applying such systems to existing classes of vessels. Therefore, we intend to implement an integrated systems approach to new and recent construction, and improve our support where feasible for the existing classes such as the 378′ WHEC and 210′ WMEC. There are no funds in the fiscal year 1981 budget request identified for implementation of such systems. This is a new initiative and we are presently identifying necessary resources.

HUMAN RELATIONS COUNSELORS

Question. What benefits do you anticipate from the provision of additional human relations counselors requested in the fiscal year 1981 budget? Could these additional personnel not be better utilized in operational areas?

Answer. Where Human Relations Counselors are now stationed, they act as trained resources for local commanding officers to assist him or her in processing complaints informally within that command. They reduce administrative problems and attendant costs. The percentage of complaints thus resolved has increased where trained counselors are available. Avoiding one formal complaint, for example, saves a minimum of $15,000. However, we do not have counselors at every district office and Headquarters unit.

These billets will be available for broader use in meeting personnel needs beyond EEO considerations. Seriousness of personnel concerns equals that of operational concerns.

COAST GUARD WOMEN

Question. Can you provide statistics as to the number of Coast Guard women Officers and enlisted now serving in sea and shore billets?

Answer. At present we have the following distribution of women in sea and shore billets:

WOMEN IN SEA AND SHORE BILLETS

	Officers	Enlisted
Sea	7	44
Shore	71	1,215

Women constitute 4 percent of Coast Guard personnel. Their duty is limited only by the capability to provide reasonable privacy in berthing and personal hygiene. We plan to fill 18 more enlisted sea billets with women by June 1980. Additionally, since all graduating cadets are assigned to sea duty, 14 women cadets scheduled to graduate with the class of 1980 will be assigned to sea billets.

MAINTENANCE AND SUPPORT TECHNIQUES

Question. What other techniques—such as the use of maintenance assistance teams, team training and rotation, cutter clustering, double crewing, adoption of aircraft-type planned maintenance systems and related operational readiness standards—are being considered as part of the "new look" at maintenance and support of the Coast Guard's operating fleet?

Answer. We provide routine maintenance augmentation for 378′ WHEC's and 210′ WMEC's only. $2,175,000, which includes 190 personnel, was provided in FY80. Additional maintenance funds in the amount of $1,725,000 were provided for our older High and Medium Endurance Cutters. Double crewing and crew augmentation concepts are being investigated for all cutter classes. For our High and Medium Endurance Cutter fleet, multi-crewing does not appear to be cost effective due to inport maintenance requirements. For other cutter classes both concepts do appear promising.

The Coast Guard has established schools to provide "pipeline" training so that crew members receive the majority of required training prior to reporting onboard. The cutter clustering concept is also being pursued as a means of improving maintenance to the fleet.

We have been working to develop integrated logistics support plans for our newer cutter classes. Lastly, we are investigating the practicality of providing some level of aircraft-type maintenance support for our cutters.

TRAVEL RESTRICTIONS

Question. To what extent have Congressionally—and OMB—imposed travel restrictions—designed to limit administrative travel—unduly restricted rotational and training related Coast Guard travel? How has this ceiling affected Coast Guard training and operational readiness?

Answer. The Congressionally imposed/OMB administered travel restrictions have unduly restricted rotational and training related Coast Guard travel with attendant adverse impacts on Coast Guard training and operational readiness. For example, three factors have significant influence on rotational and training related Coast Guard travel: (1) Inflation, which is estimated to be approximately 25 percent in the area of travel; (2) poor retention, which causes a chain reaction of 3 to 5 PCS transfers for every experienced person who leaves; and (3) the imposed 8 percent travel cut.

Since most transfers are mandated by law, the net effect is to essentially eliminate discretionary transfers. We are ceasing to issue transfer orders in the area of reenlistment incentives, career development, loss-replacement transfers and overbilleting for pipeline training. All of this tends to exacerbate our retention problems.

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Since training funds are comprised of 70 percent travel funds, and they are partially discretionary, training related travel has been drastically reduced. Additionally, poor retention has caused the need for entry level training (and transfers) to increase. Because of the need to fund entry level training, advance/specialized training has had to bear nearly the full brunt of training related cuts. This has resulted in our being able to fund only about 58 percent of the advanced/specialized training categorized as priority 1 or "mission essential." By definition, loss of "mission essential" training results in degradation of mission performance. The loss of 42 percent of this training is expected to have a severe impact on mission performance and operational readiness.

HELICOPTER ACCIDENTS

Question. The Coast Guard has had 10 helicopter accidents over the past two years. Does the increasing frequency of these accidents point to any common denominator—such as inadequate training or maintenance of equipment?

Answer. There was a total of thirteen helicopter accidents during fiscal years 1978 and 1979. Pilot cause factor was prevalent in nine of the thirteen mishaps. This percentage of pilot cause factors is generally consistent with other military safety centers' accident statistics. Examination of the individual pilot cause factors did not reveal any overall common denominator. Obviously, I am concerned whenever any accident occurs and even more when loss of life is involved. I can assure you that each of our aircraft mishaps was thoroughly investigated and corrective action has been initiated in every case. I might add that the Coast Guard has had no aircraft accidents since June 1979.

GAO STUDY OF MISSION PERFORMANCE

Question. What are the preliminary findings and conclusions of the GAO study of overall Coast Guard mission performance undertaken at the request of the Senate Committee on Commerce, Science, and Technology?

Answer. GAO Study will be presented to the Senate Committee in late March or early April. Preliminary findings and conclusions are not available at this time.

COAST GUARD LIAISON BILLETS

Question. In your State of the Coast Guard address on 16 January, and your recent address to the Reserve Officers Association on 20 January, you commented on the establishment of Coast Guard liaison billets with several countries in the Caribbean. What benefits do you anticipate resulting from increased international involvement by the Coast Guard in the Caribbean?

Answer. Any increase in the Coast Guard's international involvement would be tied to support of U.S. foreign policy objectives and Coast Guard missions. I view an expanded role by the Coast Guard in the international arena as a way of projecting a greater U.S. presence, instilling a sense of concern for the fragility of the ocean eco-system, and establishing an awareness of U.S. Coast Guard missions and capabilities. Such involvement will enhance regional stability by helping to develop viable local maritime security/law enforcement bodies and local government organizations capable of assisting the U.S. Coast Guard in areas such as maritime search and rescue and drug interdiction.

Question. What are the purposes behind your scheduling an international conference on Coast Guard organizations in 1981?

Answer. The purpose of such a conference would be to enhance the Coast Guard's role as the principal U.S. ocean-going agency outside the Department of Defense, open avenues of communication with Coast Guard like organizations in other countries and facilitate international cooperation in Coast Guard related missions areas. My staff is presently assessing the overall benefits of such a conference in light of limited fiscal and personnel resources.

SEARCH AND RESCUE COORDINATION

Question. What is the status of the Coast Guard/Department of Defense Plan for coordinating the use of SAR Assets in Civil and Military Maritime SAR?

Answer. The Peacetime (Civil) SAR coordination Plan has cleared initial review with the Coast Guard, OST, DOD, and the Interagency Committee on Search and Rescue (ICSAR). After minor clerical correction it is ready for submission to Congress as the "National Maritime Search and Rescue Program Facilities Plan". Anticipated Military SAR Demand (not Combat SAR) and resulting resource requirements are in development, using the Joint Chiefs of Staff Standard Operational Process. The result of both these initiatives by the Coast Guard will be the optimum use of all resources regardless of agency ownership, for an effective and efficient Maritime SAR System during peace, as well as ensuring the Coast Guard has sufficient resources to carry out its military duties in the Maritime SAR Region.

SAR REQUIREMENTS

Question. Do Coast Guard SAR statistics continue to reflect a steady annual 6 percent increase? What actions can be taken to reduce Coast Guard SAR requirements?

Answer. The Coast Guard does not control the SAR demand but rather is responsive to the demand and needs of the clientele it services. Fiscal year 1979 Search and Rescue statistics indicate the Coast Guard responded to 75,615 calls for assistance which represented 3 percent less than in fiscal year 1978. Preliminary analysis reflects that much of this decrease could be attributed to prevailing fuel shortages and economic conditions. Analysis of SAR data over the past decade including fiscal year 1979, indicates a 5.1 percent annual growth. Close monitoring of SAR data will continue to determine whether the decrease experienced in fiscal year 1979 is an indication of a reduction in SAR workload or just a short term variance.

SEASONAL SAR REDUCTIONS

Question. Are any permanent or seasonal reductions planned in Coast Guard SAR stations—permitting the reprogramming of resources for other missions, in other Coast Guard districts?

Answer. We will be considering changes to the overall SAR program which may include permanent and seasonal adjustments at Coast Guard stations as part of the ongoing SAR Evaluation Study. This year increased operations of patrol boats (WPB's) in the Seventh Coast Guard District were possible by augmenting with personnel from northern stations. This was a temporary deployment taking advantage of the difference in seasonal workload. However, due to personnel considerations and travel restrictions, my ability to augment in this manner is somewhat limited.

UNITED STATES/MEXICAN OIL POLLUTION PLAN

Question. What is the status of the joint U.S./Mexican Oil Pollution Contingency Plan submitted to the Republic of Mexico on May 15, 1978?

Would it apply in the event of an IXTOC I type of spill in the future? Does it include a mechanism for compensation of the United States for cleanup costs and economic damages?

The United States and Mexico met in mid-January to discuss the Plan. The Mexicans provided the United States with a counter proposal draft at the meeting. General conceptual agreement has been reached. Final negotiations on the Plan are anticipated within the next 3–6 months.

The proposed Plan would be applicable to spills resulting from oil well blowouts such as IXTOC I. It provides a mechanism for notification and cooperation during spills of mutual interest. The Plan does not address the subject of compensation for cleanup costs and/or economic damages.

CLEANUP EQUIPMENT PLAN

Question. The President's oil pollution message of March 17, 1977, established a national goal for oil pollution response—expressed in terms of the ability to respond to a spill of 100,000 tons in six hours. Pursuant to this directive, the Coast Guard has prepared a plan to deploy open ocean oil spill containment equipment at key strategic sites along U.S. coasts.

What funds are contained in the fiscal year 1981 budget request to implement this plan?

Answer. The plan will result in equipment being delivered to the staging site for the recovery operation within 6 hours of the time it has been requested. After receipt of all 26 skimming barriers in mid-1982 we will have the overall capability to recover oil, under open water response conditions, at the rate of 5,500 tons per day.

Funding requests in the fiscal year budget include $405K for open water barriers and $235K for diving equipment. Approximately $1M of the $2.4M provided for pollution response in the R. & D. budget supports the implementation plan.

CLEANUP EQUIPMENT PREPOSITIONING

Question. If additional funds were made available, could the Coast Guard accelerate its prepositioning program?

Answer. The time frame could be somewhat accelerated. The degree to which it could be accelerated depends upon the level to which support resources were provided to facilitate procurement of equipment, and construction of facilities to house equipment.

OIL POLLUTION RESPONSE RESOURCES

Question. What additional resources would be necessary to develop the operational capability to respond to release of oil and hazardous substances contemplated by the 1978 amendments to the Clean Water Act?

Answer. Our goal to locate open ocean pollution response equipment at eleven high-risk areas around the United States will satisfy most of the oil pollution response resource needs created by the 1978 CWA. The problem of a low availability of low speed support vessels for offshore operations must, however, be solved before we can be ready to respond to spills from OCS activities.

There is most likely a need for additional resources to improve our ability to handle our responsibilities for dealing with discharges of hazardous substances. It is difficult to define the extent to which resources are needed for this purpose as it has only been about six months since the list of hazardous substances became final. The ever increasing emphasis being placed on the problem of abandoned hazardous waste sites suggests that a significant increase in resources may be needed.

POLLUTION RESPONSE DEVELOPMENT PLAN

Question. The Comptroller General's report issued May 16, 1978, entitled "Coast Guard Response to Oil Spills—Trying To Do Too Much With Too Little", found that budget constraints had delayed the implementation of Coast Guard's oil pollution response development plan.

Is this still true?

Answer. The Coast Guard, like everyone, is affected by today's economic environment and must apportion available budgetary resources in a manner that will provide for effective performance in all mission areas. The Coast Guard's response program is continually improving, in spite of budget constraints. Recent major improvements include: Updated contingency plans; procurement of "first aid" response vans; development of new courses and training aids; and procurement of major response equipment for use in open ocean response.

PERSONNEL SHORTFALLS IN POLLUTION RESPONSE

Question. The same GAO report found that Coast Guard units, as presently manned, were capable of meeting only 54 percent of program standards for oil pollution response and cleanup.

To what extent are shortfalls in personnel manning levels still hampering Coast Guard oil pollution response activities?

Answer. We are able to meet the desired level of program standards in pollution response in most geographical areas. We are not able to do so in the busiest port areas. In these areas we are still only meeting 50 to 60 percent of the program standards.

POLLUTION RESPONSE IN THE PRIVATE SECTOR

Question. Do you anticipate that the private sector will eventually develop the operational capability to respond to open-ocean oil and hazardous substances spill?

Answer. There are too few spills in the open ocean to make it attractive for the commercial sector to make the significant investment needed to develop an offshore response capability. There is nothing to suggest that an increase in the number of these types of spill will occur.

There is a definite interest in the commercial cleanup sector in developing a capability to respond to hazardous substance spills. A number of chemical manufacturers have developed a capability to respond to incidents involving their products.

POLLUTION RESPONSE CAPABILITY

Question. In the interim, to what extent should the Coast Guard develop and maintain an open-ocean response capability—stockpiling necessary equipment at strategic sites along U.S. coastlines?

Answer. An increase in the level of open ocean response cases is not anticipated in the near future. The limited frequency of equipment use is expected to continue to be a disincentive for commercial investments in this area. A national network which involves the Coast Guard placing equipment at eleven high risk areas within the U.S. is considered to be adequate to meet this threat. The overall capability of this system would be to recover up to 5,500 tons of oil per day. This level is consistent with average flow rates which have been observed during major incidents around the world.

CLEANUP CAPABILITY IN THE PRIVATE SECTOR

Question. How extensive is the presently available oil and hazardous substances cleanup capability in the private sector in open-ocean and coastal areas?

Answer. While a large number of commercial contractors and cleanup cooperatives exist, most specialize in shore cleanup and have equipment that functions in protected waters and near shore locations. There is practically no equipment available in the private sector for recovering oil in the open ocean under other than ideal conditions.

The development of an ability to deal with discharges of hazardous substances has only just begun. When the involvement in hazardous chemicals intensified, almost all commercial cleanup contractors removed the word oil from their name. A number of chemical manufacturers have response teams trained to deal with their product line. A very small number of commercially available contractors exist who are truly competent in dealing safely with discharges of hazardous substances. In general there is a lack of understanding of the level of safety protection that must be afforded response personnel.

CONTRACT CLEANUP CAPABILITY

Question. To what extent does the Coast Guard rely upon contract cleanup capability to fulfill its responsibilities under the National Contingency Plan?

Answer. The Coast Guard utilizes commercial contractors whenever possible for cleaning up pollution incidents. Open contract agreements have been made with commercial contractors throughout the country to facilitate their use whenever an incident occurs. State and/or Federal cleanup resources are only used when the required assistance is not available in the commercial sector, or is not available in the time frame in which it is needed.

REMOTE SURVEILLANCE OF FISHING FLEETS

Question. Has the Coast Guard evaluated remote surveillance of foreign fishing fleets as a means of improving the overall effectiveness of its fisheries law enforcement mission?

Answer. Yes, an evaluation of a Fishing Vessel Transmit Terminal (FVTT) is being carried out in an effort to analyze the effectiveness of the terminal to provide position and catch information on a real time basis. If implemented, this will enhance the enforcement capability in fishery law enforcement.

The FVTT's were designed to provide position, catch and environmental data to the Oceanographic Unit through a NOAA environmental satellite. An initial two week test was run to see how well the equipment withstood the conditions at sea. A final test will be run when the evaluation of the initial test has been completed.

LIGHTER-THAN-AIR-CRAFT

Question. Has the Coast Guard evaluated the use of lighter-than-air platforms as a means of performing surveillance of the fisheries Zone?

Answer. Yes, preliminary studies have been conducted to determine the applicability of LTA hybrid vehicles in the performance of multiple Coast Guard missions.

FISHERIES LAW ENFORCEMENT

Question. A report issued by the Comptroller General on September 12, 1979, entitled: "Enforcement Problems Hinder Effective Implementations of the New Fishery Management Activities," found that the Coast Guard and National Marine Fisheries Service had not developed an effective approach for enforcing domestic fishery regulations under the Fishery Conservation and Management Act of 1976.

Has the Coast Guard established specific law enforcement goals for both domestic and foreign fishing that can be utilized on a basis for analyzing the adequacy of its fisheries law enforcement mission performance?

Answer. Goals and standards for domestic and foreign fisheries are being developed. As the regulations of each fishery are a function of the desires of the pertinent Fishery Management Councils, coordination with the Coast Guard, the NMFS and the Councils is mandatory for effective enforcement. As more of the 65-pla Fishery Management Plans are implemented this coordination will become eve more critical. Training of enforcement personnel in the myriad regulations will als be of increasing importance. A new Fisheries Law Enforcement Planning Model i under contract which will provide an analytical tool to evaluate alternative fishery enforcement resource strategies. A joint Coast Guard/NMFS enforcement study ha already identified the initial requirements.

Question. Has the Coast Guard requested the necessary resources to achieve thes goals?

Answer. Future resource requirements have been analyzed, the Cutter Plan ha been updated and needs will be addressed through the normal budgetary proces

Question. What combination of "at-sea" and dockside enforcement has been developed to effectively enforce domestic fishery management plans?

Answer. There is currently no set standard for the combination of "at-sea" and dockside enforcement efforts to enforce the domestic fishing regulations. This i largely due to the dynamic nature of the fishery management plans. Domesti fishing is coming under increased regulation each year. At this time "At-sea" boardings are the most effective method of enforcement. Dockside inspections only enable officials to tell how much fish has been caught. However, when dealing with regulations concerning such things as mesh restrictions, closed areas and time spent actively fishing, we must also be able to determine when, where, and how the fish were caught. "At-sea" enforcement is the only way that this information may be accurately ascertained.

Question. What portion of this effort will the National Marine Fisheries Service carry out?

Answer. Regardless of the direction that future fisheries management plans take, it is very doubtful that the National Marine Fisheries Service will take any of the "at-sea" enforcement responsibility. NMFS personnel will no doubt be heavily involved in dockside enforcement; however, as previously mentioned, we expect "at-sea" boardings of the domestic fleet to be the backbone of the enforcement effort.

Question. Can you provide data on Coast Guard Boardings, seizures, civil penalties, and citations issued to United States and foreign fishermen during the past year?

Are overall fisheries violations increasing or decreasing?

Answer. During calendar year 1979, the following Coast Guard enforcement actions were taken.

FISHING VIOLATIONS

	Atlantic	Pacific	Total
Foreign:			
FFV present	454	3,388	3,842
FFV boardings	174	388	562
Citations	43	22	65
Reports of violations	4	27	31
Seizures	1	12	13
Domestic:			
Boardings	345	745	1,090
Citations	103	6	109
Reports of violations	56	42	98
Seizures	0	0	0

Overall the number of citations and reports of violations being issued is decreasing for both foreign and domestic fishing vessels, while the number of seizures o foreign vessels for major violations is increasing. The values between calendar year statistics illustrated below indicate the trend [increase (+) or decrease (−)] from year to year.

FISHING VIOLATIONS

	Calendar year—				
	1977	Percent	1978	Percent	1979
Foreign:					
Citations	301	−32	206	−68	65
Violations	119	−21	94	−67	31
Seizures	2	+500	10	+30	13
Domestic:					
Citations	109	−61	43	−53	20
Violations	98	−52	47	+6	50

ELECTRONIC SURVEILLANCE

Question. To what extent has the shift from vessel boarding and inspection to electronic surveillance permitted reprogramming of Coast Guard resources in other mission areas?

Answer. There has been no shift from "At-sea" boarding and inspection to electronic surveillance. Although the Coast Guard, in conjunction with the National Marine Fisheries Service, is currently testing some electronic surveillance methods to assist in fisheries enforcement, the methods are not yet at a fully operational level. "At-sea" enforcement is the only effective method of detecting violations such as incorrect log entries, catch misidentification, improper gear used, illegal catch taken, etc. With the current trend toward increased regulation of domestic fishing, we do not expect our "At-sea" enforcement operations to decrease.

TERRORIST THREATS

Question. What are the findings and conclusions of the joint Coast Guard/FBI analysis of the degree and extent of terrorist threats to offshore assets?

Answer. The work is still in process. The results will be compiled and published in approximately nine months. The threat assessment will address assets in the harbor/river and coastal areas as well as offshore facilities.

PROTECTION OF OFFSHORE ASSETS

Question. Are any funds in the fiscal year 1981 budget request specifically earmarked for protection of offshore assets?

Answer. No sir, none of the funds requested in the fiscal year 1981 budget are specifically targeted for the protection of offshore assets.

OPERATIONAL LAW ENFORCEMENT PLAN

Question. One of the recommendations of the Comptroller General Report entitled: "The Coast Guard's Role in Drug Interdiction: How much is enough?" was that the Coast Guard establish long-range enforcement goals and determine resource levels necessary to accomplish these goals. In his reply, the Secretary of Transportation responded that the Center for Naval Analyses was preparing a Coast Guard Law Enforcement Operational Model for use in developing an operational law enforcement plans.

What is the status of that model and plan? What enforcement goals have been set, and what level of resources have been requested in order to achieve these goals?

Answer. The final draft of the report on the model entitled "Drug Interdiction by the Coast Guard: Analysis and Model of Patrol Operations", is currently under review. It only addresses drug interdiction operations involving "random search" (in the sense that the search pattern is not influenced by "good" intelligence concerning specific locations of suspect vessels) for a smuggling vessel. The model, which is based on data from operations in the Seventh Coast Guard District, will have to be modified and expanded to examine the random patrol operation in other areas. The current operational law enforcement plan was developed without the model and is based upon a tactical analysis of the requirements necessary to interdict smuggling of drugs by sea.

The Coast Guard's long range goal for the drug interdiction program is to detect or deter 75 percent of drugs smuggled by sea. An intermediate goal of detecting or deterring 50 percent is also established.

The annual resource requirements to achieve these goals are as follows:

ANNUAL RESOURCE REQUIREMENTS

Criteria	WHEC [1]	WMEC [1]	WPB [1]	Boats [2]	LRS [2]	MRS [2]	SRR [2]
Detect or deter 75 percent the violations	730	5,475	16,060	32,508	5,110	24,090	3,2
Detect or deter 50 percent of the violations	365	2,500	10,000	22,680	2,555	13,230	2,5
Detect or deter 14–20 percent of the violations (current level)	242	1,268	2,841	23,825	933	3,065	62

[1] Ship days.
[2] Hours.
[3] Days aboard ship.

VESSEL SEIZURES

Question. Can you supply for the record vessel seizure statistics involving the following:

A. Number of arrests;

B. Prosecution and conviction of U.S. and foreign smugglers; and

C. Amount, type, and street value of contraband seized by the Coast Guard itself and in cooperation with other agencies in calendar year 1979.

Answer. All of the 513 people arrested in fiscal year 1979 were turned over to DEA for possible prosecution. Information on the actual number prosecuted or convicted is not held by the Coast Guard. Past experience in the Seventh Coast Guard District has shown that approximately 56 percent of those arrested are deported, 41 percent are indicted and 30 percent of those indicted are convicted.

During calendar year 1979 Coast Guard units seized 89 vessels and their contraband cargoes consisting of 2,674,164 pounds of marijuana, 43,550 pounds of hashish, 4,186,000 doses of quaalude and small quantities of heroin and cocaine. The Coast Guard also participated with DEA, Customs, and local law enforcement agencies in making 24 vessel seizures which yielded an additional 428,429 pounds of marijuana and 251 pounds of Thai Sticks. The street value of these contraband seizures was nearly two billion dollars.

COMMERCIAL VESSEL SAFETY

Question. A report issued by the Comptroller General on May 25, 1979 entitled: "How Effective is the Coast Guard's Carrying Out of its Commercial Vessel Safety Responsibilities?" recommended that the Coast Guard:

A. Comprehensively and systematically study the staffing necessary to carry out the various activities in the Coast Guard's Commercial Vessel Safety Program;

B. Improve the quality of existing staff by expanding in-house training and establishing standards for personnel qualifications in the inspection area; and

C. Retain expertise by establishing an inspection job specialty classification and/or extending the length of the rotation cycle for inspection personnel to provide the expert leadership needed in this mission. What has the Coast Guard done in response to these recommendations?

Answer. The Coast Guard is conducting an in-house study of the Commercial Vessel Safety Program Standard to better identify man-hour requirements to perform specific functions. The study will be completed in June 1980. The information derived will be used to identify staffing requirements at field officers and to reallocate billets to meet the needs of industry. The Coast Guard has installed videotape machines at most of its field units to enhance unit training. A training tape library is being developed and we expect to have 100 tapes by the end of fiscal year 1980 and 300–500 tapes by the end of fiscal year 1982. A contract to develop a job task analysis to determine what additional training is needed in the Commercial Vessel Safety Program is being let this fiscal year. The results should be available in approximately three years and should clearly define qualification standards. We are attempting to extend tour lengths for those individuals assigned to marine safety units, subject to the overall needs of the service.

FOREIGN VESSEL INSPECTIONS

Question. The President's March 17, 1977 Oil Pollution message and the Port and Tanker Safety Act of 1978 require the boarding of all foreign flag vessels calling at U.S. ports at least once a year? Is the Coast Guard meeting this requirement? What significant safety violations have been found on board foreign flag tankers in U.S. waters?

Have corrective actions been undertaken, and has the Coast Guard followed up to insure compliance?

Answer. The Coast Guard is generally meeting the requirement of annual boarding of foreign flag tankers. In 1979, the U.S. Coast Guard made 1,161 boardings and examinations of foreign flag tankers. In 560 examinations (48.2 percent), deficiencies were discovered. Typical discrepancies included malfunction of radar or other navigation safety equipment, steering gear problems, leaking cargo piping, etc. The more significant violations involving safety of the vessel and/or the waterway resulted in detention of the vessel until corrective action was completed. Twelve vessels were detained in 1979. Other deficiencies resulted in denial to transfer cargo, termination of cargo transfer, or issuance of requirements otherwise limiting operation of the vessel until corrective action was completed. Dependent upon the nature of the deficiency and its potential impact upon safety of the vessel, facility, or waterway, permanent, temporary, or time deferred corrective action was ordered. Written reports as well as entries into the Marine Safety Information System were used to alert other field units and to insure that corrective actions were taken in compliance with orders issued by the various field commanders.

MARINE SAFETY INFORMATION SYSTEM

Question. Has initiation of a Marine Safety Information System been successful in building a file on substandard vessels?

Has this information been useful in providing advance warning to enable followup of discrepancies noted in prior boardings?

Answer. The interim Marine Safety Information System has enabled us to compile files on all merchant vessels examined by the Coast Guard, not just "substandard" vessels. By reviewing a vessel's files in advance of its entry we are able to identify those with a history of deficiencies. The term "substandard" is itself rather ill defined and time dependent. Vessels with historical deficiency records are often markedly changed for the better upon changes of ownership or crew. Conversely, a well founded ship can quickly become deficient through inattention and neglect. For these reasons, we are more concerned with the trend in a vessel's recent history as an indicator of near term future condition. A long range Marine Safety Information System is under development with the initial terminal scheduled for installation at a field unit in July 1980. The long range system will include capability for analysis of violations and will serve as a management tool as well as a data storage system.

OFFSHORE LIGHTERING INSPECTIONS

Question. How much additional inspection activity of offshore lightering operations has been undertaken in response to the inspection authority conferred by the Port and Tanker Safety Act of 1978?

Answer. No inspection of offshore lightering operations is being conducted under the Port and Tanker Safety Act of 1978. Due to the number of operations, the distance offshore and the duration of the operations, current Coast Guard resources are not sufficient to allow any regular inspection activities. Regulations for offshore lightering operations have been proposed by the Coast Guard (44 FR 31486, 31 May 1979 titled "Special Requirements for Cargo Lightering Operations", CGD 78-180) and will become effective in early 1981. Once the proposed regulations are in effect, inspection activities for enforcement will begin as resources permit.

Question. What additional resources are requested in the fiscal year 1981 budget to insure adequate compliance with the statutory mandate?

Answer. No resource requests are contained in the fiscal year 1981 budget.

Question. What additional resources will be necessary to effectively carry out this mandate?

Answer. The Coast Guard's resource needs are now under study to determine the total requirements of the program.

A preliminary estimate of requirements for Coast Guard activities offshore indicates that up to 6,000 additional vessel days per year would be required for the Coast Guard to perform 65 percent of its offshore enforcement activities, including about 1,800 lightering operations per year.

PORT ACCESS ROUTES

Question. What is the status of the Coast Guard's evaluation of the need for port access routes at entrances to U.S. ports authorized by the Port and Tanker Safety Act of 1978?

Answer. A study of potential traffic density and the need for ship routing measures is being conducted along the coast of the continental United States, including southern Alaska. The study began in April 1979 and publication of the results for some areas is anticipated by mid-summer 1980. The study will be completed by the end of 1981 and results for all areas will be published in early 1982.

VTS SYSTEMS

Question. Please describe Coast Guard plans for implementation of second generation VTS systems.

What are the elements of those systems, and how will they differ from those presently in use?

Answer. Second generation VTS's are scheduled for 1986–96 implementation. Current systems are one of a kind with sole source for software maintenance or modifications. Coast Guard-owned software would be less expensive as well as making Coast Guard maintenance or modifications possible.

Modular design would provide compatible surveillance, radar tracking, and processing and display modules, and allow the Coast Guard to build VTS's tailored to the needs of a particular port.

VTS's should be adaptable to new surveillance technologies.

New computer processing should be able to predict future positions and traffic situations or problems, such as congestion or blind bend encounters, and allow actual management of traffic rather than simply passing information and reacting to emergency situations.

BOATING SAFETY PROGRAM

Question. In your judgment, is the training of state marine law enforcement officials the most cost-effective use of Coast Guard Boating Safety Detachment personnel?

Answer. I believe that BOSDET's are most effective when used for training Coast Guard, state and local field enforcement personnel.

The National Boating Safety School in Yorktown, Virginia is available to states for more in-depth training. This school is most suitable for training state law enforcement instructors.

Question. To the extent that state law enforcement organizations assume a greater role in boating safety education, assistance, and enforcement, will this permit the reprogramming of Coast Guard Boating Safety personnel and resources into other mission areas?

Answer. Not significantly. Because of the variety and extent of boating—presently encompassing some 56 million boaters—the Coast Guard was never staffed to handle boating safety problems alone. Our role has been primarily one of national coordination. More state involvement is desirable, particularly in enforcement. BOSDET's would phase out of this activity. Their time could be better spent in training other Federal, state and local enforcement personnel. There is a continued need for Coast Guard involvement in boating standards development and compliance enforcement, state liaison, training, education, and Auxiliary administration in the face of a continuous growth in boating.

BOATING FATALITIES

Question. I understand that the facility curve for recreational boating accidents—declining since 1971—has begun to "flatten out". What factors are contributing to this leveling off of boating fatalities?

Answer. The fatality rate per 100,000 boats has been cut in half since passage of the Federal Boat Safety Act of 1971. This can be attributed to the Federal/State cooperation mandated by the Act, and the increased industry involvement and public awareness it promoted. The fatality rate is still decreasing, although at a slower rate. This "flattening out" could be due to a leveling off, or possibly reduction, in Federal/State resources committed to boating safety, thereby preventing further significant inroads. The Federal Boat Safety Act had a relatively immediate impact. To get fatalities down further may require a greater commitment of resources per life saved.

LORAN-C EXTENSION

Question. What plans does the Coast Guard have for expanding Loran-C within and without the Continental United States?

Answer. The Department of Transportation is investigating expansion of Loran-C to provide coverage in the mid-continent of the United States. The Coast Guard would probably execute any such expansion, but there are no firm plans for this expansion now. We plan to investigate the possible benefits of expanding Loran-C to serve all the Hawaiian Islands and the North Slope of Alaska.

We are investigating the possible benefits of expanding Loran-C to provide coverage in the Eastern Caribbean. Our initial analysis is that the benefits would not justify the large cost ($40-60M) of such an expansion.

The Department of Defense is expanding Loran-C coverage to include Korea. This is a joint USCG-USAF project, funded entirely by DOD. Our operating costs will increase slightly because of higher power being transmitted by two Coast Guard stations. We are cooperating with the Canadian Coast Guard to expand Loran-C on the East Coast of Canada. This expansion will cost us about $1M and provide an annual savings of about $700K because the Canadians will assume the costs of operating two stations which we currently fund.

RESERVE AUGMENTATION TRAINING

Question. The July 13, 1978 letter report from the Comptroller General to the Secretary of Transportation indicates that 65 percent of the Coast Guard Reserve time is spent in augmentation training with active Coast Guard Units. At the same time, in at least one Coast Guard district surveyed, many Coast Guard Reservists were not receiving adequate training in their wartime mobilization role of Port Security—a role which 65 percent of the Coast Guard Reserve is slated to perform upon mobilization. Has the deficiency been corrected? Is it common to other Coast Guard districts? What Port Security training do Coast Guard Reserve Forces regularly receive?

Answer. The specific problem referred to was rectified in fiscal year 1979 and is not common to other districts. Coast Guard Reserve Units do not, in general, mobilize intact. Instead, trained reservists supplement existing operating units to allow expansion and implementation of their additional wartime functions. Coast Guard Reserve training, therefore, is oriented toward development of individual skills. Due to the broad scope of activities associated with the wartime Port Security mission, as opposed to the peacetime Port Safety mission, practically all augmentation training teaches skills required for carrying out some portion of the Port Security function; and fiscal year 1979 at least 65 percent of augmentation activity nationwide related directly to this major wartime mission (29 percent Port Safety, 36 percent Search and Rescue/Boating Safety). In addition to augmentation training, our reservists attend formal schools during initial training and annual training which are Port Security oriented. To round out the training, correspondence courses are required which impart detailed knowledge in specialties needed for mobilization. In 1979 the Coast Guard participated in five joint military exercises in major U.S. ports, and we have scheduled at least four in 1980. We also conducted a Coast Guard training exercise in fiscal year 1979 which involved reservists reporting to their mobilization site for orientation training in actual wartime tasks. It was very successful, and we would like to do more of it. However, the travel restrictions severely limit further development. In fact, we have had to cut all annual training schools by 37 percent in fiscal year 1980 for that reason.

MARINE INSPECTORS IN THE GULF AREA

Question. We continue to hear complaints with respect to the availability of marine inspectors in the Gulf area * * * particularly Morgan City, Louisiana where there is a mass of offshore supply vessel activity.

What is the Coast Guard doing about this problem?

What happened to the proposal to establish a Marine Safety Office at Morgan City?

The Coast Guard has been very responsive to the enormous increases in workload in the Gulf area. During fiscal years 1978-80 we have added ninety-four new Marine Inspector billets and thirty-eight new assistant Marine Inspector billets to the Eighth Coast Guard Districts. Additionally, we have transferred six other Marine Inspector billets from elsewhere in the Coast Guard to the Gulf area. We have given constant deliberate attention to alleviate workload problems in this area. However, at the same time, we have had to shoulder the additional tasks mandated under the Outer Continental Shelf Land Act Amendments of 1978 and the President's Initiatives on Tanker Safety and Pollution Prevention of March 1977. Because of the concentration of petroleum industry in the Gulf area, these mandates impacted severly on the Eighth Coast Guard District. As it takes three years to fully train a new marine inspector, we are just beginning to benefit from our previous billet programmings. The workload problems referred to in this question should decrease over the next few years as more of these new inspectors fully productive and we receive the complete resource requirements for the Outer Continental Shelf workload. The Eighth Coast Guard District has submitted a planning proposal to establish a Marine Safety Office at Morgan City. We are proceeding on this proposal and, within our fiscal year 1981 budget request we have included a line item for preconstruction funds for this new facility (design and acquisition costs).

MRS AIRCRAFT PROCUREMENT

Question. The funding for the 41 Medium Range Surveillance Aircraft has been completed; however, to date not one aircraft has been delivered. Last year, we were advised of some engine modification problems. What is the present status of this procurement? When do you expect initial delivery?

Answer. Some problems have developed in FAA certification of the Garrett engine. The planned delivery date for the first aircraft was 1 November 1980. However, the Coast Guard has been notified that as a result of delays in the delivery of the engines the first aircraft will be delivered on 1 March 1981.

"CUYAHOGA" REPLACEMENT

Question. I notice that there is a request for a specially built domestic icebreaking tug as a replacement for the training vessel *Cuyahoga*. This vessel, I take it, will be similar to the new 140 foot domestic icebreaking tug. Please explain the rationale for this request.

Answer. "*Cuyahoga*" was used for short cruises for OCS students during which topics such as piloting and navigation, shiphandling, mooring and watchstanding were covered. Large cutters are used for longer cruises conducted in the open sea. The domestic icebreaking tug intended as a replacement for "*Cuyahoga*" will be like the other 140 foot tugs; except for minor modifications necessary for it to fulfill the "Classroom" functions. Use of this vessel will have several advantages. It will provide a modern, reliable, and suitable training platform thus assuring a high level of safety. The 140 foot tug is well suited to the close-in piloting training for which she will be used and her large bridge will provide ample space for trainers and trainees. By conducting training on modern, state-of-the-art equipment, the training will be more relevant and effective. Since OCS training will not be a full-time requirement, the 140 foot tug will be able to perform operational missions when not in use for training.

SRR HELICOPTER PROCUREMENT

Question. What is the status of the Short-Range Recovery Procurement Program?

Answer. The procurement of the HH-65A is on schedule. The delivery date for the first aircraft is January 1982. The Bell Helicopter Textron protest of contract award was denied by the GAO in a decision dated 21 December 1979. The Bell Helicopter Textron lawsuit still awaits a decision by the Federal District Court of Washington, D.C.

NEW ORLEANS VTS

Question. What is the status of VTS New Orleans and the study being made?

Answer. The Louisiana State University started a Lower Mississippi River Safety Study March 1, 1980, and expects to complete that study by February 28, 1981. The study is being conducted through the National Sea Grant Program and funded by the Coast Guard.

Participation in VTS New Orleans is voluntary.

A closed circuit television system for surveillance in the vicinity of Algiers Point is in the process of design and procurement. Depending on the results of the LSU study, radar surveilance over the vicinity of Head and Passes may be added in the future.

One million dollars provided for the radar microwave relay system in fiscal year 1980 cannot be spent until the study is completed.

R. & D. CENTER

Question. What is the present status of the Coast Guard's R. & D. Center at Groton, Connecticut? Has any decision been made as to its future location?

Answer. The R. & D. Center five year lease for the Groton Avery Point site with the State of Connecticut expires spring 1982. Future lease conditions with State of Connecticut are uncertain. Substantially increased lease costs, reduction or termination of the U. of Conn SE Branch (which is co-located with the R. & D. Center), and over-aged inadequate facilities are some of the major factors which threaten the proper functioning of our R. & D. Center in the future. The State of Connecticut has been requested to outline their intentions as to the future status of Avery Point, Groton and to forecast future lease charges.

Several alternatives are under consideration. These include renegotiating the present lease and remaining at the Groton site, building a Coast Guard owned facility on federal land adjacent to the Coast Guard Academy in New London, Conn., or leasing a facility elsewhere through a construct-lease option.

AUTOMATED MAINTENANCE SUPPORT

Question. Does the fiscal year 1981 AC&I Budget request contain any funds for centralized automated maintenance support for Coast Guard vessels? If not, are you in favor of the adoption of an aviation-type integrated logistics support system for vessel maintenance? If so, why?

Answer. The fiscal year 1981 AC&I budget does not request resources specifically identified for centralized automated maintenance support, or for implementation of integrated logistics support system for vessels. Our increased emphasis in this direction is a relatively new initiative and we are presently identifying necessary resources. We have requested $1.4M for ADP capability improvement at the Coast Guard YARD. The Coast Guard Ship's Inventory Control Point is located at the YARD and will be a major beneficiary of the requested improvements. The SICP will play a major role in our implementation of an appropriate integrated logistics support philosophy. The specific system or approach which we implemented will be compatible with the operational requirements, maintenance philosophy and physical capabilities of our vessels, and will also reflect the age and remaining years of useful life of each class of vessel. Our objectives are to increase the levels of maintenance, supply and training support for all major vessels, and thus improve vessel reliability.

COMDAC SOFTWARE

Question. Does the Coast Guard intend to advertise for competitive bid, follow-on contracts for the software package associated with the COMDAC system to be installed on the 270 WMEC class cutters?

Answer. Yes, software procurement will be through competitive negotiation. A Request for Proposals (RFP) was issued in February 1980.

AIREYE SENSOR SYSTEM

Question. Is the AIREYE sensor system now capable of being installed on board Coast Guard aircraft?

Answer. The AIREYE sensor system is not now capable of being installed on board a Coast Guard aircraft because the integration of the sensors is still under development. After the individual sensors are delivered in fiscal year 1980 and fiscal year 1981, they will require integration and installation into the new HU-25A(MRS) aircraft. Contract negotiations have begun for the integration and installation of the sensors, and the contract is expected to be awarded in July 1980. The first operational system is expected 22 months after contract award (May 1982) with the remaining five systems expected in fiscal year 1982 and fiscal year 1983.

Question. What impact upon Coast Guard mission performance—especially marine environmental protection—do you expect from the utilization of this technology?

Answer. Aerial pollution surveillance missions are presently restricted in their operations to daylight good weather conditions to allow visual detection of polluters. Because the majority of pollution violations occur at night and during adverse weather, most violators are not prosecuted. The effectiveness of the MEP surveillance missions hinges on the availability of a wide area, day/night, all weather capability to detect violators and to provide legally sufficient documentation for prosecution. AIREYE will provide these capabilities.

The Side Looking Radar (SLAR) component of AIREYE will increase patrol track spacing to 50 mile swaths thus providing greatly increased pollution detection coverage per patrol. The SLAR and the infrared portion of the line scanner provide a nighttime capability for pollution detection not presently available in visual searches. The Active-Gated Television (AGTV), a growth sensor being developed for AIREYE, will provide a nighttime capability for identification of suspected pollution violators. A deterrent effect is expected to be gained from the presence of this equipment in the Coast Guard inventory. Positive impacts on mission performance in SAR, ELT, and ice surveillance are also expected. Whole fleets can be mapped and documented and nighttime search effectiveness will be greatly improved.

ALASKA CONSTRUCTION

Question. What plans are underway for improvements to the Kodiak Alaska BOQ? What plans are underway for improvements to the Attu, Alaska runway in support of the Alaskan LORAN-C chain? What plans does the CG have for the establishment of a Dutch Harbor SAR Station in support of the Alaskan fishing fleet?

Answer. The BOQ is presently planned for replacement in fiscal year 1983.

In fiscal year 1978 concrete patchwork repairs were made to eliminate loose concrete on the Attu runway. While the runway is in poor condition, adequate repairs would have exceeded $8 million in cost. More extensive repairs may be necessary in the next 4 to 5 years.

While there are no formal plans to establish a SAR Station at Dutch Harbor, it, along with others in the area, are under consideration as a possible future site for a facility.

PATROL BOAT REPLACEMENTS

Question. What candidate vehicles have been identified as potential replacements for the 82 and 95 foot patrol vessels in the Coast Guard inventory?

Answer. Several marine vehicle concepts are being considered as candidates to replace the conventional hull design of the 82 and 95 foot patrol boats. These concepts invlude hydrofoils, surface effect ships, air cushioned vehicles, lighter-than-air vehicles, planing vehicles, and small waterplane area twin hull (SWAT/H) designs.

A Mission Need Statement (MNS) addressing the requirement to replace-expand the existing WPB fleet is being prepared. Until the MNS is completed and approved, marine vehicle concepts, in lieu of specific point designs, are being examined as to their potential use in Coast Guard missions. Specific point designs will be evaluated at a later stage of the acquisition process in accordance with OMB Circular A-109.

SHIP SIMULATOR AT THE ACADEMY

Question. What training and operational benefits are expected to result from the installation of a ship simulator at the Coast Guard Academy?

Answer. One of the chief benefits of the simulator will be more effective skill and stress training in dangerous situations without risk to life or property. It is clearly impractical when conducting training aboard ship to place the vessel in a hazardous situation in order to evaluate a student's response. Simulators also offer the ability to repeat situations and provide better feedback to students through the use of professional instructors. It can be expected that students who have received a combination of simulator and shipboard training will be better prepared to handle difficult operations with less risk of accident, thereby improving mission performance. Simulator training is also more cost effective than training aboard ship, and it results in tremendous energy saving. We plan to utilize the simulator for all entry-level training (cadet and OCS) and for, at a minimum, OinC/XPO training.

EAST COAST ICEBREAKING

Question. Last year, the Coast Guard indicated it was studying the requirements for icebreaking in areas on the East Coast. The GAO questioned the need for a boat similar to the recent replacement program. This budget does not include funding for East Coast icebreaking tugs. Could you provide us with an update of the study the Coast Guard is reportedly conducting? And what requirements are you contemplating for the future?

Answer. This study is in final review by my staff at this time; however, I expect their conclusions will indicate that the 140′ WTGB is far superior to the 110′ WYTM and one which we can use effectively in the multi-mission concept. Because of the East Coast mission needs, I anticipate we will seek funding for additional 140′ WTGB's in future year budget requests.

COMDAC FOR MEDIUM ENDURANCE CUTTERS

Question. I understand that the COMDAC system for the new medium-endurance cutters will not be available for installation of the first four cutters. Will this cause any increased cost associated with using old systems and then later converting to COMDAC? Will the lack of COMDAC downgrade the vessel's performance?

Answer. The short term impact on ship cost which results from the need to resort to temporary manual capabilities is small. Temporary manual capabilities in the areas of a collision warning system, ship navigation, status boards and sound powered phones will have to be established. The hardware costs associated with these interim measures is estimated to be $50K per ship. An additional seven enlisted personnel will be required for each ship to perform the manual tasks. The lack of COMDAC will not downgrade the vessel's performance in vital mission areas but it will decrease the vessel's efficiency and wartime capabilities.

KURE LORAN RELOCATION

Question. In a recent DOT Inspector General's report, there was a recommendation to evaluate the feasibility of relocating Kure Loran station to Midway Island to permit better utilization of support aircraft. Could you provide us with your opinion of this recommendation?

Answer. Construction of a new Loran station at Midway would cost at least $3M more than improvements now planned for Kure. Savings from crew reductions if the station were relocated would be $135K per year. Logistics for Kure is accomplished by Coast Guard C-130 in conjunction with bi-weekly fisheries law enforcement flights. Moving the station to Midway to take advantage of Navy sponsored logistic flights would result in minimal savings because of the continuing requirement for the Coast Guard flights.

RADAR FOR C-130 AIRCRAFT

Question. I note that in your original budget submission to OMB you requested $8.8M for radar equipment for the C-130 aircraft. Would you please explain the nature of this equipment and its purpose? What effect does its absence have on the ability of these aircraft to perform their missions.

Answer. This equipment is the AN/APS 127 forward looking radar. It would replace the obsolete AN/APS-59 radar and greatly improve the search capability of the C-130 aircraft. The AN/APS-59 is basically a weather avoidance radar and is increasingly difficult to maintain. The AN/APS 127, which is being installed in the new HU-25A aircraft, has a much greater target acquisition capability. In 1-2 foot seas it will detect a coastal freighter at 37 miles as compared to 13 miles for the AN/APS-59. This new radar will increase C-130 performance in all mission areas.

POLAR ICEBREAKERS

Question. What is the status of the Polar Icebreakers? Have all repairs to them been completed?

Answer. The Polar Class Icebreakers are presently operational. *Polar Sea* is completing a successful Deep Freeze after breaking out McMurdo Sound in record time. *Polar Star* is deployed on an Arctic Winter West mission. Modifications and repairs are still necessary and continuing on Polar Class Icebreakers to insure reliability. Corrective actions will continue to be performed between scheduled operational commitments. The intention is to effect improvements on propellers and the longitudinal shafting systems while seeking methods to reduce forces that result in casualties. Other modifications will be completed as problem areas are identified.

RED RIVER AIDS TO NAVIGATION

Question. How many additional aids to navigation were required to be installed on the Red River following navigable extension of that waterway? At what additional initial and continuing costs?

Answer. Opening the Red River Waterway by the U.S. Army Corps of Engineers in 1983 will increase the AtoN workload in the Second Coast Guard District by approximately 300 miles of waterway and 600 aids to navigation.

An Aids to Navigation Facility (ANFAC) with River Tender (WLR) and barge, probably will be located in the vicinity of Alexandria, LA to service this new AtoN requirement.

The initial investment will be approximately $5.2M for the aids and the servicing facility. Recurring costs are estimated at $1M per year.

Funds have been requested in fiscal year 1981 for a river tender (WLR). Funds for a barge and aids to navigation will be requested in fiscal year 1982 and for the shore facility in fiscal year 1983.

R.D.T. & E. INCREASES

Question. What percentage of the requested $3,175K increase in the Coast Guard's R.D.T. & E. budget reflects increased administrative costs due to inflation?

Answer. $438K, or 13.7 percent, of the $3,175K increase represents increased administrative costs due to inflation.

Question. What new projects are contained in this request?

Answer. The two largest new projects included in our request are advanced marine vehicles and command, control, and surveillance systems. Both are multimission in nature. Other efforts include study in hybrid energy systems for remote sites, search and rescue boat operational effectiveness, vessel maneuvering characteristics, and cargo vapor hazards.

MULTI-MISSION RESEARCH

Question. What projects are multi-mission, multi-year in nature?

Answer. Most of the activities outlined in our budget request are multi-year in nature. In addition, several have significant multi-mission applications. These include both the advanced marine vehicle and command and control efforts. Our energy efforts have resource saving potential for a number of missions as well. Many of our specific surveillance/detection/alerting activities, although carried out under the sponsorship of specific Coast Guard programs, have considerable applications across programs (Marine Environmental Protection, Search and Rescue, Enforcement of Laws and Treaties). These include our SARSAT project, AIREYE project, and Helicopter Search Systems Project (FLIR).

Question. What benefits are anticipated from the undertaking of multi-mission as well as product-oriented research?

Answer. All our R. & D. efforts are designed to meet existing or anticipated problems and identified requirements which exist within our programs and missions. These activities will provide capabilities to meet new and increasing demands upon the service and will allow operational missions to be performed in a more cost effective and energy efficient manner. Our technical studies in support of regulatory responsibilities (vessel and boating safety) provide a technical base for sound and independent regulatory action and other marine safety programatic decisions.

Several specific multi-mission activities promise considerable benefits. Our advanced marine vehicle project, and the base of information it will product, should allow the development of total mission response systems of greater effectiveness, as well as greater manning and energy efficiency. In particular, this "front-end" R. & D. will materially aid the acquisition process for replacement platforms. While sponsored by specific Coast Guard programs and generally considered "product" R. & D., the development of an airborne oil surveillance system, AIREYE, and development of a forward looking day/night search sensor, FLIR, have considerable multi-mission potential. They will increase search detection effectiveness and efficiency and hence, energy savings in our ELT, SAR and MEP missions. These systems will allow patrol/search/surveillance of more area, in less time, and with more accuracy. In addition, a forthcoming search and rescue satellite (SARSAT) demonstration (fiscal year 1982) will allow evaluation of a system which can effectively alert/locate the position of distressed vehicles. Resource saving benefits to accrue are significant. Our multi-mission command and control project has potential in providing increased mission capabilities with substantial savings in response time, cost and manning requirements, better and more timely information for decisionmaking, and overall more efficient and effective coordination of multi-mission resources.

Question. Will this research have an impact upon which type of vessels and aircraft the Coast Guard requires in the future?

Answer. The R. & D. advance marine vehicles work of the early 1980's will provide the technological base needed to establish and obtain the marine vehicle capabilities required to meet the future operational requirements of the Coast Guard. These "front-end" actions support the acquisition process for Coast Guard vessel replacements. Systems with lower life cycle costs, greater effectiveness, and enhanced reliability and maintainability should result.

COOPERATIVE RESEARCH AND DEVELOPMENT

Question. What portion of Coast Guard Research and Development is undertaken on a cooperative basis with other federal agencies? What benefits have resulted from this type of research?

Answer. In any given year up to 10–20 percent of our total R. & D. budget involves joint funding activities with other federal agencies. A sampling of these activities in fiscal year 1981 includes a Lighter-than-Air Assessment program with NASA; advanced marine vehicle concept development/evaluation with U.S. Navy; evaluation and field trials of cold weather/ice pollution response systems with Canada; oil and hazardous chemical pollution response equipment development and testing with the Environmental Protection Agency; development and demonstration of an advanced satellite detection and alerting search and rescue system (SARSAT) with DOD, NOAA, Canada, France; NAVSTAR GPS receiver performance testing with MARAD; joint vessel safety studies/simulator work with MARAD; and participation in the multi-agency Ship Committee of the National Academy of Sciences.

These jointly funded activities yield highly cost effective research for each participant, contribute to the soundness of the technical approach taken, and provide for effective technology transfer. In a small R. & D. program like ours, cooperative efforts allow for reseach and development efforts which would be difficult to undertake otherwise. In addition to jointly funded projects, we also "contract" to other federal agency laboratories for specific work (approximately 20-30 percent of the total R. & D. project dollar per year).

ADVANCED MARINE VEHICLES

Question. Could additional funds be effectively utilized in fiscal year 1981 to permit an expansion of the Coast Guard's broad-based research into advanced marine vehicles—including surface effect ships and small water-plane area twin-hulled craft in cooperation with the Navy—and Lighter-Than-Air-craft with the Urban Mass Transit Administration? What level of support could be effectively utilized at present staffing levels?

Answer. Present fiscal year 1981 plans in marine vehicles call for vehicle mission-analysis and fleet mix analytical studies and performance testing of SES concepts in the surface vehicle area. In addition, the LTA Patrol Airship assessment program will commence and will include control and flight dynamics testing, mission verification studies, and a long term joint LTA Patrol airship development program with NASA. An additional target-of-opportunity has arisen that will require increased funds if the Coast Guard is to be involved. This involves a Navy program to refine, demonstrate, and evaluate an advanced SWATH (small waterplane area twin hull) vessel. Our involvement is considered greatly desirable and will add measureably to our overall efforts. Effective execution of all the above activity would require an additional $2.5 million and could be effectively utilized at present staffing levels.

R.D.T. & E. REPROGRAMMINGS

Question. What R. & D. projects in the past—including some mandated by Congress—have required reprogramming of R. & D. funds; and in some instances, funds from other Coast Guard program areas, to be accomplished?

Answer. Coast Guard-initiated reprogramming, which can be expected in any given year, amounted to $1,640K in fiscal year 1978 and fiscal year 1979. These usually fund cost overruns or accommodate high priority unanticipated projects. Reprogramming done in response to direction from Congress in fiscal year 1980 included the VTS New Orleans study and participation in a heavy lift lighter-than-air project with the Department of Agriculture. These projects required the reprogramming of nearly $1M in fiscal year 1980.

R. & D. PROJECTS NEEDING FUNDING

Question. What R. & D. projects in the past have been stretched out for lack of funding? Could certain projects be accelerated by the provision of additional funds earmarked for those projects within existing staff levels? Would the following projects fall into this category:

(1) Communications, navigation, and surveillance technology using LORAN-C and GPS radio navigation systems? (2) Oil and hazardous substances pollution detection, response, containment, treatment, removal, transfer, storage, and disposal technology on the high seas—in coastal and inland waters, rivers, and arctic areas?

Answer. The fiscal year 1981 budget represents a concerted effort to minimize the stretching out of projects; where sufficient funding is not possible, specific projects have been deleted from the budget and other higher priority ones kept at adequate levels as the total R. & D. program moved through the budget process. For example, the VTS program has been kept at a $2M level throughout the budget cycle; budget cuts were absorbed by canceling other activities. However, we have had to reduce and stretch out certain portions of the radio navigation GPS and precision LORAN-C projects to allow minimum levels of support across other areas. More complete and accelerated evaluation of these systems could be accomplished with additional funds ($800K) and within existing staff levels. In the area of marine environmental protection, certain projects have been dropped out of the budget rather than reducing the scope or stretching out all projects. Those projects dropped a total over $2,575K and include studies of the natural dispersion of oil slicks; recovered oil disposal equipment and techniques development; development of oil spill dispersment system; development of oil-water separator and oil slick burning systems; and development of equipment for containment, treatment, and recovery of hazardous chemical discharges. It is believed that this amount could be utilized without an increase in staffing.

R. & D. ONGOING PROJECT

Question. What product type R. & D. projects does the Coast Guard have ongoing at the present time? Are any of these projects slated to conclude or terminate during fiscal year 1981?

Answer. We consider project type R. & D. to be those activities conducted in direct support of specific needs identified by one of the Coast Guard operating programs. These type efforts amount to approximately 80 percent of our total project funding and are reflected on pages RD–11 through RD–19 of our budget presentation. Most are multi-year efforts. Major efforts to be completed in fiscal year 1981 are the forward looking infra-red search sensor (FLIR) and the fast current oil removal device.

ENERGY CONSERVATION

Question. What specific R. & D. efforts are underway to emphasize energy conservation in the performance of Coast Guard operational missions?

Answer. Our energy efforts are designed to reduce the amount of fuel consumed by CG facilities by providing alternative engineering solutions to traditional problems and by providing substitute energy sources for conventional ones. Three specific activities comprise our fiscal year 1981 effort. First, is the continued development of emulsifying systems capable of on line supply of fuel/water emulsions to diesel and gas turbine engines and shore side boilers. Greater efficiency is sought. Second, is a new effort to develop a portable power source of 10 KW or less that derives its energy from non-conventional sources (wind, solar, etc.); replacement of existing diesel engine generators presently powering aids to navigation is anticipated. Finally, efforts will be accelerated to develop solar photovoltaics for use as a power source for low voltage floating aids to navigation. The results of this effort will be specifications for Coast Guard-wide component procurement. In addition, other R. & D. efforts have potential for energy/fuel savings for Coast Guard operations. These include the airborne oil surveillance system, AIREYE; the forward looking infra-red search sensor, FLIR; advanced marine vehicles; and the search and rescue satellite (SARSAT) demonstration.

FUTURE MARITIME FLEETS

Question. What are the findings and conclusions of the joint Coast Guard/MARAD study of Future Maritime Fleets with relevance to Coast Guard missions?

Answer. The study to examine the future directions of U.S. waterborne commerce and shippings services, "A Study to Forecast Maritime Fleets," is not yet completed. The final report is expected during the summer of fiscal year 1980 and will provide input into Coast Guard long term planning, including the impact of such trends on Coast Guard missions.

CNJ RAILROAD BRIDGE

Question. What is the status of the Central New Jersey Railroad Bridge and when will its total removal be completed? What is holding up the project?

Answer. On 28 February 1980 the U.S. District Court in Newark, New Jersey granted the Coast Guard the authority to proceed with demolition of the channel portion of the bridge. On 29 February 1980 the Coast Guard gave notice to the contractor to proceed with demolition of the channel portion of the bridge. The work is scheduled to be completed in September 1980.

The project is now on schedule. the contractor has submitted his schedule to the Coast Guard. He expects to be on site by the first week of April and to start work by the first week in May.

BRIDGE ALTERATION REQUESTS

Question. How many of the bridge alteration requests in fiscal year 1981 represent critical hazards to navigation? Can any of these projects be deferred until future years?

Answer. All of the bridge projects in the fiscal year 1981 budget alter or remove hazards to navigation. However, the New Jersey DOT Highway 88 bridge at Point Pleasant Canal is considered to be a critical hazard to navigation.

Three of the fiscal year 1981 projects are under construction and are being financed by follow-on funding. The bridge across the Point Pleasant Canal and the bridge across Three Mile Creek (Mobile, Ala.) are under design. If a project is disrupted by deferral to a future year added costs will be incurred.

Question. What additional budgetary resources—including operating expenses and number of operating hours for existing equipment and procurement of new vessels and aircraft and necessary support elements—would be required to meet performance goals and standards in each operating program category?

Answer. We are not now meeting our performance goals and standards in our operating programs. When our ongoing construction programs, for which funding is reasonably certain (multi-year, multi-unit contracts), are completed, we will still fall short by some 20 percent of the number of operating hours needed to execute our mission profile using fiscal year 1979 as a baseline. Using the last complete update of our Program Plans we would need about $625 million capital investment per year for the next ten years to make up our backlog of deferred Capital Plant renewal and to acquire the needed additional facilities to meet the optimum program standards.

Current data shows that we are short some 8,000 personnel to operate the facilities we have today. For instance, our shore station personnel are averaging over 80 hours per workweek. Maintenance and training shortfalls when added to the personnel costs bring the current shortage of operating expenses to something over $200M per year. Assuming that over the next ten years we add the hardware necessary to reach the 1979 optimum level, we would need an additional 5,000 personnel and another $200 million operating funds.

We are presently conducting the biannual review of Program Plans. It will be several months before we have better information, but the initial look indicates a shortage of some 40,000 people by the end of this decade. We also have a zero base personnel study underway which, by fall, should provide a better picture of our personnel situation, both at our current level of operation and at the optimum level as set forth in the Program Plans.

In addressing this question I recognize I have not broken down the need according to operating program category. Almost all of the Coast Guard operating facilities are multimission which makes it nearly impossible to provide general data on facility shortages in particular mission areas.

To visualize the problem better, the Program Plans for each Coast Guard Program set the optimum level of performance for each element of the Program and indicate current levels of performance. For instance, the Enforcement of Laws and Treaties (ELT) Program Plans shows one of its elements as "Detect/deter 95 percent of foreign violation of laws and treaties involving fisheries." In fiscal year 1979, 2,300 vessel days, 30 patrol boat days and 2,881 aircraft hours were provided. This fell short of the standard by 480 vessel days and 471 aircraft hours.

This is but one of some seventeen such elements in the ELT Plan, and ELT is only one of fourteen operating programs. Some of the optimum standards are fully accomplished while others fall short, as does this example. It would be misleading, therefore, to specify an overall level to which we are accomplishing the ELT standards. If you wish, I am prepared to provide you a copy of the Program Plans and will be happy to discuss them further with you.

You may have interest in Comptroller General report CED-80-76 entitled "The Coast Guard—Limited Resources Curtail Ability to Meet Responsibilities". Prepared at the request of the Chairman, Senate Committee on Commerce, Science, and Transportation, the report provides additional comments on resources needs.

Questions Submitted by Mr. Young and Answered by Admiral Hayes

UNITED STATES/CANADA ICEBREAKING

Question. What is the current status of the United States/Canadian icebreaking agreement?

Answer. With the exception of a few editorial changes, Canada and the United States have agreed on the text of an icebreaking agreement. The agreement will provide a formal mechanism to implement cooperative icebreaking that we have been doing on an ad-hoc basis thus far. An exchange of diplomatic notes is anticipated in the near future.

ARCTIC OPERATIONS

Question. What is the current policy, evolved from your 1979 meetings with the Department of State, with respect to icebreaking in support of Government and commercial Arctic operations?

Answer. It was agreed in interagency discussions, held under the auspices of the Department of State, that an Arctic policy statement in support of commercial operations was needed. However, at this time, no policy has been formulated.

FOREIGN POLICY

Question. You have spoken of the Coast Guard potential as an instrument of foreign policy. Does this constitute a new mission or expansion of activities calling for additional resources, and if so to what degree?

Answer. In its role as an operator of Civil Navigation Systems and in its capacity as a member of the international community in the service of protecting human life, the Coast Guard is in a natural position to act as an instrument of foreign policy. Recently, the role of the Coast Guard as an integral part of the worldwide effort to control the smuggling of illegal substances has become more evident as a facilitator and coordinator of international efforts. Additionally, the Coast Guard is central to the international ice patrol and arctic/antarctic scientific communities.

None of these are new missions but the increased emphasis on cooperation among nations in these efforts requires constant top management attention. This is more of a redirection of effort rather than an expansion of activity.

WINTER STATION CLOSINGS

Question. What northern winter stations have you identified for future closing (as indicated in January 1980 State of the Coast Guard remarks). Are these the stations reported on the December 1979 issue of National Fisherman as those in the First, Fifth, Seventh and Ninth Districts to have reduced 68 hour workweeks with an attendant savings of $100 million and 139 billets? Is 68 hours the standard workweek at stations?

Answer. As part of a basic Coast Guard objective to develop innovative plans for energy conservation and reduction of energy used in both operational and regulatory roles, we plan to investigate the closure of selected northern stations during the winter months. We have not yet progressed far enough to identify specific stations for winter closure to conserve energy.

On a limited basis, we intend to use volunteers to augment other missions in southern areas as we did in winter of 1979 and 1980. At stations where ice conditions generally reduce the SAR workload to few or no cases, some personnel were deployed to the Seventh District to augment Patrol Boat operations in drug enforcement efforts.

The stations reported on the December 1979 issue of National Fisherman are not part of the energy conservation initiative. The National Fisherman article was based on an internal proposal, which was not adopted, to reduce readiness at selected stations in the First, Fifth, Seventh, and Ninth Districts. That proposal estimated a savings of only $1 million and 139 billets.

The National Fisherman article also indicated that the hours of operation of the stations would be reduced to 68 hours per week. The 68 hour workweek appears to have been misinterpreted. We were not planning to reduce the hours of operation of the stations to 68 hours per week. A 68 hour workweek is our goal for the workweek of an individual at a station. This is a personnel goal/standard which the Coast Guard is attempting to achieve at all stations.

SHIP AVAILABILITY

Question. Last year you reported that ships of the Atlantic Area were ready for operations on 75 percent of the scheduled operating time. Has that poor degree of capability changed for better or worse? What is the seagoing capability of vessels in other areas of operation?

Answer. Atlantic Area offshore law enforcement patrol activity for the current fiscal year indicates that cutter reliability has not improved since our last report. Cutter reliability in other areas of operations is fairly similar to that of Atlantic Area.

COMMERCIAL POLLUTION PROTECTION

Question. Other countries have or are considering coastal salvage and pollution protection through commercial bareboat charters and guaranteed daily-rate arrangements. Have you given any thought to similar arrangements to relieve the Coast Guard of vessel operating shortfalls?

Answer. Much thought has been given to alternative approaches, particularly since there is a declining open ocean salvage capability in this country, and no pollution response assets. Guaranteed daily rate arrangements suffer from twin defects: very high costs, and unwillingness of commercial operators to risk people and equipment in adverse operating conditions. Further research is being undertaken to explore bareboat chartering vessels on an extended basis.

PUBLIC HEALTH SERVICE IN THE RESERVE

Question. I understand that you have received a proposal to accept officers of the USPHS into the Coast Guard Reserve. To what extent might they improve the quality of life for your personnel and at the same time be ready for active duty when called upon?

Answer. The Coast Guard has not received a proposal, rather, we have initiated a proposal to attempt to bring sufficient numbers of Public Health Service Inactive Reserve Officers into the Coast Guard Reserve to help us meet our mobililization needs. These personnel would not be available to provide for active duty personnel except during periods of active duty for training.

EEO COUNSELORS

Question. I understood that you intend to increase the number of full time equal opportunity counsellors—above the current 58. Is this not the responsibility of your Commanding Officers and other leaders in the field who have been or should be fully trained in such matters?

Answer. The additional billets requested are to provide personnel to promote a successful program in Equal Opportunity and Affirmative Action. Sixteen full time civilian EEO specialists are executors of the civilian program. Twenty-two full time Military Human Relations Counselors provide counseling services as well as provide training for local commands. Twenty of the 58 billets are support staff—military and civilian—located primarily at Headquarters. One of the duties of the 22 human relations counselors is to conduct the required training for commanding officers and field personnel. Another of the duties is to provide counseling services for local commands which has made it possible to resolve many complaints on an informal level.

POLLUTION FUND SUPPLEMENTAL

Question. With respect to your Oil Pollution Fund, what is the status and amount of your Supplemental Appropriation request?

Answer. Our Supplemental Appropriation request for the Oil Pollution Fund for $21.3 million is before Congress.

Question. To what extent can this fund be used to cover the cost of replacing Coast Guard equipment lost or damaged in the course of a pollution cleanup incident?

Answer. The 311*k* fund can cover the cost of limited types of Coast Guard equipment as long as loss or damage is not caused by negligence on the part of the user. Expendable supplies are included as well as such items as boom, skimmers and smaller flexible storage bags. The 311*k* fund does not replace major acquisition items.

Question. Assuming the offshore oil pollution fund is retained under Coast Guard administration during fiscal year 1981, does your current fiscal year 1981 request contain any personnel shortfalls essential to such task?

Answer. The fiscal year 1981 request for OCSLA Title III fund contains 6 military and 22 civilians, reimbursable positions paid for by the fund.

SPILL CLEANUP GUIDELINES

Question. I understand that you have distributed "performance-rating guidelines" for spill cleanup firms for consideration by the Spill Control Association of America. Are such guidelines to become regulatory standards—and what is their purpose and intended effect?

Answer. A method for classifying cleanup contractors based on their actual performance on spills has been prepared in rough draft. The Spill Control Association is expected to respond to our request for comments in mid-March. The classification system would provide the Coast Guard On Scene Coordinator with a method by which he could select contractors based on their capability to work in coastal, ocean, or inland areas. It would initially allow for peer assessment by the Association.

RESERVE EXERCISES

Question. What joint naval and military training exercises have been conducted during the past calendar year involving the Coast Guard Reserve, especially in matters of Port Security?

Answer. In 1979 the Coast Guard participated in five exercises, in major U.S. ports and we have scheduled at least four in 1980. These Port Security exercises involve the following related Navy missions: Naval control of Shipping (Convoys), Inshore Undersea Warfare, Counter Intelligence, Harbor Defense, and Mine Counter-measures.

PROTECTION OF OFFSHORE FACILITIES

Question. What attention is being given to the defense of U.S. Outer Continental Shelf facilities, as oil rigs.

Answer. Coast Guard's preliminary threat assessment to maritime assets was completed in February, 1979; a more definitive assessment was considered necessary. The Coast Guard and the FBI entered into a Memorandum of Understanding in May 1979 concerning mutual assistance to counteract terrorist activities in the maritime environment. A joint CG/FBI threat analysis of maritime assets began in November 1979 and is targeted for completion in November of 1980.

LICENSED PILOTS/OFFICERS IN RESERVE

Question. Has any effort been made to induce U.S. registered pilots or licensed officers to affiliate with the Coast Guard Reserve and so be available for Vessel Traffic System duty in emergencies? Is their employment feasible on a contracted basis?

Answer. The Coast Guard Reserve is structured to fulfill wartime needs. We feel that in wartime pilots and licensed officers will be needed in areas other than Vessel Traffic Services. The current peacetime Vessel Traffic Services staffing can handle domestic emergencies. Contracted employment is feasible but we have no need or plans to use it. We can foresee both training and availability problems with this approach.

RESERVE TRAINING INCREASES

Question. What increases, if any, for Reserve Training are reflected in your fiscal year 1981 request? (Fifteen (15) military billets indicated in CG-B).

Answer. The increases reflected include: $786K for the cost of continuing 1980 programs in 1981; $300K for annualization of the fiscal year 1980 pay raise; $240K and 15 military personnel for full manning of CGC *Reliance* and $726K for reserve enlistment/re-enlistment incentives. The justification for these increases is explained on pages RT-10 and RT-11 of the Coast Guard Budget request.

TRAVEL/TRANSPORTATION RESTRICTIONS

Question. I understand that Congress in its last Continuing Resolution curtailed travel and transportation expenditures by $500 million. What portion of this cut was allocated to the Coast Guard?

Answer. The Coast Guard was allocated a cut of $5,199,000 in travel/transportation expenditures from the amount shown in the fiscal year 1980 budget submission.

Question. Is this the only such cut that you have taken during fiscal year 1980?

Answer. This is not the only cut taken in fiscal year 1980. In addition there has been a cut of $2,476,000 in the Operating Expenses appropriation.

Question. What kinds of travel have you reduced? Did you have any alternatives?

Answer. Given the magnitude of these cuts, the Coast Guard had no choice but to reduce almost all administrative and considerable operational travel. Tours of some personnel have been extended, training at service schools and summer training for cadets has been curtailed and operational travel such as that associated with boating safety teams, inspectors, aircraft and ship deployments, etc., have been reduced considerably. Because of the unique requirements of a military service with far-flung operating units and high personnel turnover, few other alternatives were available to cope with the severe travel restrictions.

Question. What was the impact of these cuts?

Answer. The necessity to cover mandatory requirements, uncontrollable expenses and personnel entitlements has had a drastic effect on our ability to manage our operating and personnel programs. The arbitrary, across-the-board nature of these cuts did not recognize our unique status as a primarily operating agency with a very specialized personnel structure. The restrictions have limited our flexibility in responding to changes in program needs and detracted from efficient use of our resources.

Questions. What relief is proposed for fiscal year 1981?

Answer. The continuing resolution required a cut in fiscal year 1980 travel and transportation. No relief has been proposed in our fiscal year 1981 budget request. It reflects estimated obligations for travel and transportation based on the fiscal year 1980 ceilings since it was not known whether or not Congress would continue its restriction.

CIVILIAN PERSONNEL

Question. Your schedules of civilian positions indicated a fiscal year 1981 end-of-year deficiency of 505 positions, with similar vacancies reported for 1979 and 1980. Is this the result of ceilings imposed by the so-called Leach Amendment?

Is it reasonable to continue carrying such vacancy statistics year after year? What is the effect of task and budget increases on the civilian work force? If unacceptable, how does the Coast Guard plan to cope with expansion?

Answer. The 505 end-of-year unfilled positions identified in the fiscal year 1981 budget are not a direct result of the so-called Leach Amendment. The Office of Managment and Budget impose ceilings on the number of permanent positions which can be filled at year end. The unfilled positions at year end are a result of such ceilings.

The Coast Guard must remain within the OMB imposed ceilings. In order to more effectively carry out Coast Guard missions, attempts would be made to fill all Congressionally authorized permanent positions if OMB ceilings were not imposed.

While the scope and number of tasks assigned to the Coast Guard have continually increased over the last few years, budget increases have been slight and growth in the civilian work force has essentially remained static. Since 1974 the actual end-of-year permanent civilian employment has increased an average of 0.8 percent per year. As a result, the civilian work force, as is its military counterpart, is being spread thinner and thinner in order to accomplish the tasks assigned.

The Coast Guard plans to cope with this unacceptable situation by improving its operations where possible, continuing to request additional personnel resources where appropriate, and in some cases making a conscious decision not to perform certain tasks which have been assigned.

COMDAC FOR WMEC'S

Question. I understand that the computerized command and control systems (COMDAC) for the first four medium endurance cutters (WMEC) will not be available before their commissioning. What additional equipment, personnel, and costs result from this or a related deficiencies? How long will these deficiencies exist and are they reflected in the fiscal year 1981 request?

Answer. The COMDAC system included in the 270′ WMEC class cutter design consists of both computer hardware and software. The hardware is being delivered as a part of the cutter construction contract and will be in place when the ships are delivered. The software will be developed under a separate software development contract, for which an RFP has been released. Software development will not have been completed when the first few ships are delivered. Some additional equipment (chart table, plot boards, collision avoidance system) and about seven personnel will be provided so that each ship can be effectively employed during the period between ship delivery and software acceptance. The cost of the additional equipment is on the order of $50K per ship. Without software, 270′ WMEC cutters will not be as effective. However, with additional interim personnel and equipment they will be as effective as our existing 210′ WMEC cutters in peacetime mission performance. Full COMDAC software is expected to be available approximately 2 years after the first ship is delivered. The fiscal year 1981 budget contains adequate funds for the retrofit of necessary equipment. The extra personnel are not included in the fiscal year 1981 request and will have to be reprogrammed from within the Coast Guard.

Question. What other equipment, such as sophisticated weapons or sensors, may be inoperable without COMDAC? Does this affect operational readiness?

Answer. The only weapons sensor system that will be onboard the first 270′ WMEC's are the 76 MM Gun and Fire Control System MK92/MK75 and the SLQ-32 Electronics Support Measures equipment. These systems alone can be operated without COMDAC software. The remaining weapons systems will be retrofitted sometime in the mid 1980's at which time the software will be available. The peacetime missions of the 270′ WMEC will not be affected by the absence of COMDAC software; however, the 270′ WMEC wartime role as presently envisioned is absolutely dependent upon a full operational COMDAC.

SKIM EQUIPMENT

Question. What is the Spill Cleanup Equipment Inventory System for which you have budgeted $80,000? Is this an inventory of all available government (Federal and State) and private sector resources?

Answer. SKIM is a computerized, centralized listing of all types of privately and publicly owned oil spill response equipment in the United States. It enables the Coast Guard "On Scene" Coordinator to quickly determine the availability of equipment to meet needs in his locality.

LORAN-C FOR SAR BOATS

Question. How essential is the $330K allocated for SAR boats' loran-C equipment which have heretofore relied upon charts, timepieces, radio directon finders, depth finders and radar in what are essentially near-shore areas of operation? How far offshore do you permit UTB's and MLB's to proceed? What weather restrictions apply?

Answer. The $330K provides loran-C receivers for 73 SAR boats. Present position fixing capability is limited to less than 5 miles from shore and even then the presently installed equipment is often of questionable accuracy due to the conditions in which SAR cases occur. Approximately 15 percent of SAR cases occur outside of 5 miles and in those cases a reliable fixing capability becomes absolutely essential.

Concept of operations of MLB's and UTB's call for these boats to operate up to 50 miles and up to 25 miles offshore respectively. Some of our UTB's in the Seventh District operate beyond 25 miles. Operations for UTB's and MLB's are restricted by conditions as follows:

MLB:	UTB:
Wind—Up to 50 knots.	Wind—Up to 30 knots.
Seas—Up to 30 feet.	Seas—Up to 10 feet.
Surf and bar conditions—Up to 20 feet.	Surf and bar conditions—Not to operate in breaking surf or bar conditions.

LEASED HOUSING

Question. Leased housing for single personnel appears to be a new concept; how will this be managed and facilities allocated—such as in single or shared units? Will coed occupy of civilian quarters be approved?—directed?

Answer. The Unaccompanied Personnel Housing Program will be managed through the existing Family Leased Housing apparatus utilizing existing Housing and Information and Liaison resources where possible. Allocations will be on a "highest need" basis. Generally we plan "shared" (2 and 3 bedroom apartments) units for E-5 and below; each E-6 and above will occupy a one bedroom apartment. Each person will have a separate bedroom. It is not anticipated that mixed sexes will be assigned to "shared" quarters.

UPWARD MOBILITY

Question. What is contemplated for Upward Mobility Program at a cost of $126,000 beyond existing training, hiring and promotion practices?

Answer. This $126,000 will allow for the extraordinary costs associated with the upward mobility positions such as training and travel.

Question. Please provide more details with respect to your Hazardous Materials Contract and Improved Accounting System projects to be funded for $236,000?

Answer. Under contract with the National Academy of Sciences ($100,000) the Coast Guard will be provided with a prestigious, unbiased and authoritative review of regulatory projects. For example, pollution from tank barges is an issue which NAS is currently reviewing for us under contract.

The funds requested to improve the CG accounting system ($136,000) will be used to fund contractor development of a detailed plan for implementing a single Coast Guard-wide accounting system that satisfies the standards and related requirements of the Coast Guard, DOT, etc. Additional funds will be required in future years to implement the plan.

LARGE NAVIGATION BUOYS

Question. You have allocated $1.75M for two large navigation buoys. Where will these be located and can they be multi-purpose for weather and water monitoring—and so be of value to NWS and EPA?

Answer. They will be located off the Massachusetts Coast—one generally in the current location of the *Nantucket* Lightship. The second in a location so as to provide better navigation in the Nantucket area as an augmentation to the buoy that replaces *Nantucket* Lightship.

The buoy will be capable of accepting special weather and water monitoring sensors.

"EAGLE" REHAB

Question. After the *Cuyahoga* incident much attention was focussed on the condition of existing training vessels, especially the CGC *Eagle.* Have you estimated the nature and cost of essential rehabilitation of the *Eagle?*

Answer. Yes, a recent Ship Structural and Machinery Evaluation Board identified the need for approximately $2.0M in urgent repairs to *Eagles* main deck, masts and rigging. Most of these repairs were completed during a recent availability. In addition, the Board found that a major renovation is required to correct problems of inadequate watertight integrity, extensive wastage and deterioration of decks and piping, and an obsolete machinery plant. The cost of these repairs will be approximately $5.75M. Congress has already provided $750,000 in fiscal year 1980 for *Eagle.*

so that a balance of $5.0M is needed. With completion of the renovation work, *Eagle*, will regain a suitable material condition, needing only routine maintenance for the next 15-20 years. Considering not only *Eagle's* training importance, but her unique national and historical significance, this is a worthwhile investment. Total replacement would not be cost-effective, costing in the neighborhood of $35M.

HC-130 RADAR

Question. I understand that radar replacements are essential for your HC-130 long-range aircraft without which operational effectiveness is decreased. How serious is this deficiency and what is the replacement cost? Do you have the capability of completing replacement during fiscal year 1981?

Answer. Operating with the present overaged radar reduces our effectiveness. In 1 to 2 foot seas the new radar can detect a coastal freighter at a range of 37 miles whereas the older radar can detect the same vessel only at ranges of 13 miles or less. Smaller targets like cabin cruisers are essentially undetectable with the old radar but can be seen at ranges up to 28 miles with the new radar. The cost of replacing all of these radars plus spares is $8.8M in fiscal year 1981 funds. If funds were made available in fiscal year 1981 the contract would be awarded during that year but actual replacement of all the radars would take 2 to 3 years.

"STORIS" RE-ENGINING

Question. What is the status and cost of proposed re-engining of the cutter *Storis?* What is the effect on operational efficiency?

Answer. There is presently no request in the fiscal year 1981 budget to re-engine *Storis.* The fiscal year 1982 cost to re-engine *Storis* is estimated at approximately $10.5M. Re-engining *Storis* would increase her power from 1,800 Shaft Horsepower to 4,000 Shaft Horsepower resulting in an increase in continuous icebreaking capability of from 1.65 feet to 2.35 feet of flat plate ice.

270 FOOT WMEC EQUIPMENT

Question. I understand that there may be uncertainty with respect to weight-and-space allowances and to availability of the LAMPS towed array and helicopter recovery systems aboard the new WMEC cutters. Please provide some analysis of these possible deficiencies and their effect upon future costs as well as operational readiness?

Answer. The design of the 270 foot WMEC class cutters now under construction includes space, weight, and power reservations for the Navy's LAMPS III anti-submarine warfare sensors/weapons suite; it also includes reservations for the Tactical Towed Array Sonar (TACTAS). It is not clear at present exactly how much shipboard weight these systems will add to the 270 foot WMEC. Some adaptation may be needed to the standard Navy configurations. These matters will become clearer as Navy development continues. We will continue working with the Navy to keep abreast of developments.

Question. In this regard is the LAMPS/RAST recovery system compatible with or adaptable to the Coast Guard's new SRR helicopter?

Answer. The Short Range Recovery helicopter will not be equipped with any haul down capability. The SRR will land on our flight-deck equipped cutters in the same manner as our HH-52A's.

140-FOOT ICEBREAKING TUG

Question. Your proposal for one new 140 foot icebreaking tug is intended to cover Yorktown Training Station and Chesapeake Bay area icebreaking needs. What are your plans for the replacement of other 110 foot tugs in the Coast Guard inventory in the light of a recent GAO report questioning the overcapacity of the 140 foot tug on the East Coast? Do you foresee a need for one of these tugs in Alaskan waters, such as in the Cook Inlet or Valdez areas?

Answer. The 140 foot icebreaking tug WTGB in the fiscal year 1981 budget request will serve as Reserve Training Center Yorktown's training vessel and will also perform icebreaking, search and rescue, and law enforcement missions in the lower Chesapeake Bay area. Analysis to date has not caused any change in our choice of the WTGB as a replacement for the East Coast 110 foot tugs. Current plans are to replace the eight East Coast 110 foot tugs with six 140 foot WTGB's. I do not presently foresee the need for a 140 foot WTGB in Alaskan waters.

SHIP NAVIGATION SIMULATOR

Question. Is your proposed Academy ship navigation simulator to be used for training other than cadets? Is the off-the-shelf equipment available or is this to be the subject of a negotiated development contract? What is the $12 million future estimate intended to cover? Is the commitment to one phase separable from that succeeding?

Answer. While the main purpose will be for cadets, it is expected that it will be used for OCS students as well and may in the future be utilized for some advanced training for officers. It is expected that the actual system purchased will be the result of a negotiated development contract.

The $122 million future estimate is intended to cover the cost of two additional simulators for the training of personnel associated with the operational fleet. The Academy simulator is a separable phase.

AIRCRAFT PROCUREMENT

Question. Are the Coast Guard contracts for aircraft procurement "self-insuring" as with vessels? If so, what effect does this have on performance?

Answer. Coast Guard contracts for aircraft procurement do not have a "self-insurance" clause as do vessel procurement contracts.

MINOR SHORE CONSTRUCTION QUARTERS

Question. What are the locations of "Minor AC&I Shore Construction Projects (Quarters) for single personnel"?

Answer. Although the final locations will be determined after review of planning proposals is complete, currently projects are planned for Support Center Boston, MA; Base Milwaukee, WI; Base Ketchikan, Alaska; Air Station Barber's Point, HI; and the following Coast Guard Stations: Eatons Neck in Northport, NY; Indian River in Rehoboth Beach, DE; Beach Haven, NJ; Great Egg in Ocean City, NJ; Milford Haven in Hudgins, VA; Stillpond in Worton, MD; Hobucken, NC; Cape Charles, VA; Wrightsville Beach, NC; Annapolis, MD; St. Petersburg, FL; Sabine, TX; and Wilmette, IL. Whether or not all of these will actually be accomplished will depend on the cost of each and the availability of funds.

ADP EQUIPMENT

Question. Reference your proposed automatic data processing capability expansion at a cost of $2.7M, is the Coast Guard Yard ADP Center adaptable or available on a time-sharing basis to any of your Districts? Is less costly equipment available, again on a shared basis within an office, center or region?

Answer. The planned CG YARD ADP Center can be made available to Districts to provide information concerning the Ships Inventory Control Point supply support functions, but it will not have the capacity (storage space, computing power) to provide generalized ADP processing support to the twelve Districts.

The Coast Guard plans to procure the least costly equipment available based on its total ADP needs.

SUPPORT CENTER BOSTON

Question. Reference your proposal for Support Center Boston—at a cost of $7.8M:

What are your plans for the existing building?

Who are the clients being served?

If the users or clients are District wide, what is the necessity for location in a prime and expensive waterfront site?

Would not an inland site, accessible by rail or road, be more suitable and less costly?

Answer. The buildings presently housing the engineering functions will be demolished in subsequent phases of the Support Center Development Plan to optimize land/building usage and increase site efficiency.

Approximately 75 percent of the Support Center is in direct or indirect support of Coast Guard cutters and small boats. It also supports the Marine Safety Office, Group Boston, Station Boston, an aids to navigation team (ANT), and a boating safety team all of which must or should be located on the water.

The only sizeable function which supports district wide clients is the industrial activity. A portion of this function (buoy overhaul) has already been located at a satellite unit, in South Weymouth. The remaining portions of the industrial function also support the vessels and small boats located at the Support Center.

Since 75 percent of the support provided by the Support Center is provided to cutters and boats, it is imperative that the Support Center be located on the waterfront.

Alternate sites were examined in detail in the mid 1970's when the South Boston Naval ANNEX was available. Once GSA deeded the Naval ANNEX to the city of Boston, development at the existing Support Center site was determined to be the most cost-effective alternative.

STATION ST. PETERSBURG

Question. What use is made of the old St. Petersburg, Fl. station site?

Answer. The old Station St. Petersburg across the water from the group/station St. Petersburg complex is the site of the mooring for the 210 foot cutter CGC *Steadfast* and for the cutters *Vice, Cosmos,* and *White Sumac.* The Coast Guard also utilizes this area to store concrete buoy sinkers. Of the buildings on the site the Coast Guard Reserve uses one for its meetings and the remaining buildings are used by the Job Corps.

RESERVE INCENTIVES

Question. Your budget submission suggests the need for a funded incentives program for the Coast Guard Reserve to remain competitive with the DOD Reserve components. Please explain, specify what is needed and advise what steps are being taken to implement your recommendation.

Answer. Public Law 95-485 of 20 October 1978 authorized enlistment and reenlistment incentives for all Reserve components. Department of Defense quickly implemented their incentives programs in early 1979 with funding provided in their fiscal year 1979 appropriation. The Coast Guard Reserve must recruit from the same group of people as all other Reserve components, and we believe that we cannot reach or maintain appropriate strength levels unless we offer an equivalent compensation/incentive package. Therefore, in May of 1979, we implemented an enlistment and reenlistment incentive program modeled after that of DOD which utilized funds available from our strength shortfall. The program has been successful and our strength is greatly improved. In fiscal year 1980, since we are at our authorized strength, we have had to reprogram funds from training aid procurement into incentives. While such reprogramming can be accommodated for a short period, additional funding is necessary. Cancellation of our incentives program would have a deleterious effect on recruiting and retention. We do not envision any expansion of the present program. The time phased payment system over a four to six year period requires $726,000 in fiscal year 1981 and builds to a maximum of about $1.1 million in fiscal year 1985.

ADVANCED MARINE VEHICLES

Question. With respect to RD-23 and advanced marine vehicles, would this effort be more immediately productive if more funding is within your capability? What does such research propose for the future? Are you engaged in a cooperative effort? Would increased Coast Guard participation now be more cost-effective in the final analysis?

Answer. Additional funding would be productive to the advanced marine vehicle effort. Funding a "target of opportunity" for a joint test with the U.S. Navy, a SWATH (Small waterplane area twin hull) vessel would add measurably to our overall efforts. This type of research is essential to provide the technology base needed to establish and obtain vehicle capabilities needed for future operational requirements while lowering life cycle costs (e.g., energy and personnel). We are or will be engaged in cooperative efforts with UMTA, Navy, and NASA. Funds noted for SWATH Study would be extremely cost-effective.

R. & D. DISCRETIONARY FUND

Question. Describe your Discretionary Fund, its usefulness, and impediments to effective employment.

Answer. Discretionary Fund provides the means to take advantage of targets of opportunities where unpredicted or unforeseen activities may provide experience and break-throughs in important fields of marine related technology. The Fund is valuable in that it has provided the Coast Guard a degree of flexibility that has allowed us to get very high returns for our research dollars applied in this area. The major impediment has been the low funding level available to support the concept.

R. & D. REPROGRAMMINGS

Question. Did your R. & D. program suffer from any reprogramming or fund diversions during fiscal year 1980? What has been the effect of such diversions?

Answer. A certain amount of internal reprogramming is necessary every year to account for unplanned needs or developments and have very minor impact on the R. & D. program. However, additional requirements placed on the Coast Guard without additional funding can have a large negative impact on the program.

Question. What are the objectives and potential beneficial effects of a good R. & D. program on your SAR and A to N needs and costs?

Answer. The main objective of a good SAR R. & D. program would have to be to minimize the loss of life, personal injury, and property damage by reducing the time involved in locating and retrieving people in peril. Efforts are underway and planned which have great potential benefit and will help in realizing our SAR R. & D. objective. Efforts will provide for safer and more effective searches which should lower response time and cover more search area in less time resulting in energy savings. Capabilities should also be further enhanced to provide for all-weather, day-night search effectiveness.

The main objective of the A to N R. & D. program is to improve the safety and efficiency of marine navigation while reducing operating and maintenance costs. Safe and efficient navigation is becoming especially critical as ship density in restricted waters increases. A more effective and safer navigation system will reduce the potential for marine disasters that could occur as a result of increased shipping of oil and hazardous chemicals. Among the benefits that result could be the prevention of harm to people, the environment, and property; the reduction of claims against the government; and a more economical navigation system for the Coast Guard and system users.

FUEL NEEDS

Question. Describe the fuel needs of the Coast Guard to meet operational necessities; including shortfalls for fiscal year 1980 and steps taken to satisfy current needs.

Answer. For the remainder of fiscal year 1980 our analysis indicates a need for an additional $41.4M for purchase of fuel to meet operational necessities. The Coast Guard has one fiscal year 1980 supplemental of $13.5M pending and has submitted a second for $27.9M. The additional funding required is mainly attributable to price increases effected by the Defense Fuel Supply Center. Current fuel usage is being closely controlled to ensure expenditures remain within currently funded limits.

Question. What shortfalls, if any, are anticipated for fiscal year 1981 that are not covered by your budget request?

Answer. The funding shortfall anticipated at present prices and at current operational levels in fiscal year 1981 is $37.7M. Should the price charged by DFSC for fuel vary above or below the 1 FEB 80 rate it will be necessary to adjust the anticipated shortfall accordingly.

Question. What effect will the failure to meet these needs have on Coast Guard operations?

Answer. If funding is not made available, fiscal year 1980 vessel aircraft and boat operations will be curtailed on the order of 50 percent in order to stay within allocated fuel funds. In fiscal year 1981, operations may have to be curtailed by an even greater amount.

PORT AND TANKER SAFETY ACT

Question. The Port and Tanker Safety Act of 1978 imposed requirements upon the DOT and Coast Guard, such as those now covered by Special Requirements for Cargo Lightering Operations. What personnel and cost demands are thus imposed for fiscal year 1981 that are not covered by your budget request?

Answer. The Port and Tanker Safety Act of 1978 contains provisions which greatly expand Coast Guard regulatory and enforcement actions. An additional 25 personnel are required to review foreign licensing and certification requirements; to develop standards for contract inspections overseas; and to develop and promulgate regulations pertaining to lightering responsibilities.

PRINCE WILLIAM SOUND

Question. The Prince William Sound offers another problem that requires the Coast Guard's attention, that is, the need for helicopter coverage of the Sound out of Cordova; the hangar facility already exists, and the summer fishing traffic warrants either full time deployment of a helicopter or "peak use" coverage during the commercial fishing season. What does the Coast Guard plan in this regard? Additionally, could the helicopter be an asset if a Prince William Sound tanker were to incur a leak or spillage?

Answer. Our service wide operations are monitored to insure proper response to the needs of the maritime community. Our assessment is that the present mix and location of aircraft and ships along the Alaskan coastline can adequately respond to the current demands in Alaska. There are no plans for a full time deployment of a helicopter to Cordova or a deployment during the peak fishing season. With regard to the situation at Cordova Airport, it is merely a shelter to be used on a short term basis when a helicopter operating in the Cordova area is unable to return to Kodiak. In reply to your final question on a Prince William Sound tanker incident, yes, a helicopter would be an asset but more as logistics resource than in an immediate response sense.

Question. If the number of cases called for is the criterion for justification of deployment of a helicopter, then the SAR figures for Prince William Sound more than meet the minimum figure. Between the years 1975 and 1979, there were 335 cases which averages to 62 cases per year. Doesn't this justify a helicopter?

Answer. The Coast Guard monitors all its operations to insure proper response to the maritime community. There is no number that automatically establishes a need for a ship or aricraft in a particular area. This is true of Cordova. To date we have been able to meet the demands with the ships in Cordova and Seward and the aircraft in Kodiak.

FALSE PASS CHANNEL

Question. I understand that a late submission from your Alaska District highlights a critical need for a heavily travelled and treacherous channel known as False Pass. Please describe this situation and advise of the estimated cost of essential aids to navigation to mark this channel.

Answer. The increased interest in the Bering Sea fishing grounds, coupled with the rising cost of fuel, has resulted in increased traffic through False Pass. Representatives of the fishing industry requested that the Coast Guard improve the aids to navigation system to assist the increasing numbers of larger vessels utilizing False Pass.

The Commander, Seventeenth Coast Guard District submitted a project to improve the aids in Bechevin Bay and to install additional aids from Cape Krenitzen to deep water in the Bering Sea. The estimated cost of these improvements is $85,000. This project is included in our Waterways AC&I request.

POLAR CLASS ICEBREAKERS

Question. What is the status and cost of propeller replacements on the POLAR Class icebreakers? What is the effect on operational efficiency?

Answer. At this time it appears that replacement of the propellers on the *Polar* class icebreakers will not be necessary. We are cautiously optimistic that the modifications made on *Polar Star* will result in a mission reliable icebreaker. *Polar Sea* will receive the same modifications upon return from Deep-Freeze 1980 operations.

Question. Exemplified by the Coast Guard's seizure of a foreign vessel underlogging its catch in the FCZ, I am concerned with the coverage of such vessels. Does your current cutter replacement and new construction program satisfy essential fisheries patrol, Outer Continental Shelf and DOD coordinated defense needs? If not, what are your deficiencies?

Answer. No, the current cutter replacement and new construction program does not satisfy present or future requirements for fisheries patrol, Outer Continental Shelf, and DOD coordinated defense needs. Our present high endurance (HEC) and medium endurance (MEC) cutter fleet consists of forty-two vessels, fourteen of which were built prior to or during World War II. Thirteen of these vessels are planned for replacement by the new 270′ MEC.

The present Cutter Plan (1979) identifies current needs and long term requirements through 1990 for at least sixty-eight MEC/HEC cutters. Thus, our present shortfall is twenty-six.

QUESTION SUBMITTED BY MR. LENT AND ANSWERED BY ADMIRAL HAYES

PRODUCT WASHING

Question. What decision has the Coast Guard made with regard to the acceptance of "product washing," as distinguished from "crude oil washing," as a tank cleaning process that may conform to the Port and Tanker Safety Act objectives? If acceptable from all reasonable points of view, is new legislative authority needed?

Answer. The Coast Guard has made an effort worldwide to determine if anyone in the tanker industry has any experience with "product washing" as used in the crude oil washing concept. To date, we know of no one with such experience. The Coast Guard does not have a basis to determine if "product washing" is capable of achieving the same results as crude oil washing. However, the Coast Guard would be receptive to development of an industry funded program to determine the feasibility of "product washing" as a tank cleaning process. If it is proved that the concept is safe and provides equivalent protection to the marine environment in line with the objectives of the PTSA, "product washing" could be considered acceptable to the Coast Guard. If "product washing" is found acceptable and were to be used in addition to the existing requirements of the PTSA, no new legislative authority would be needed. If the concept is to be used as a substitute for one of the requirements of the PTSA, the Coast Guard feels that legislative authority would be needed.

PRODUCT WASHING PROPOSALS

Question. Is further testing of product washing proposals essential to a decision? What cost estimate would you attach to an R. & D. testing effort?

Answer. To determine if the "product washing" proposals is acceptable in complying with the objectives of the Port and Tanker Safety Act, a complete technical program would have to be initiated, including a full line of laboratory model scale, and eventually full scale, testing. At this point, there are too many unknowns to estimate a practical cost for conducting "product washing" testing. On proposals for full scale testing of three different types of product oils has been discussed with the Coast Guard. The cost of this proposal was estimated at $1.5 million. Since the economic benefits which would be realized by adoption of "product washing" accrue solely to the oil transportation industry, the Coast Guard feels that any testing of the suitability of "product washing" should be fully funded by that industry.

SEGREGATED BALLAST TANK

Question. As an alternative to crude oil or product washing, product carriers may operate with segregated or dedicated clean ballast tanks under said Act dependent upon whether they are new or existing vessels. What determination have you made with respect to: The amount of segregated ballast tank space required? The acceptability of existing segregated ballast as being in substantial compliance with the Act?

Answer. The capacity of segregated ballast tanks (SBT) and clean ballast tanks (CBT) for a tank vessel that is fitted with SBT and CBT in compliance with the PTSA must be sufficient to allow the vessel to meet minimum draft and trim requirements. These minimum requirements are as follows: The mean draft of the vessel must be at least two meters plus two percent of the vessel's length; the trim by the stern of the vessel must not exceed one and one-half percent of the length of the vessel and; the minimum draft at the after perpendicular must obtain full immersion of the propeller. These criteria were established at the 1973 MARPOL Convention as the minimum standards necessary for normal safe operation of tank vessels in most weather conditions. An existing tank vessel with SBT and CBT capacity less than that required above would have to ballast cargo tanks during some ballast voyages. This would defeat the purpose of requiring SBT or CBT as a method of reducing operational oil pollution. The Coast Guard believes that SBT or CBT capacity less than that previously mentioned does not comply with the objectives of the PTSA.

BOTTOM COATINGS

Question. Have your R. & D. or Engineering staffs been monitoring Canadian tests and successes with Inertia 160, a bottom coating that withstands abrasions and reduces ice resistance while needing reapplication only once in ten years?

Answer. The Coast Guard began an indepth R. & D. effort to identify tenacious ship bottom coatings in 1972. The OJIBWA (110 ft. Tug) in 1976 was the first cutter application of Inertia 160. The success on the OJIBWA has lead to further cutter applications, including the *Polar* class. Our annual technology interchange with the Canadians provided the media for conveyance of the OJIBWA's success and subsequent Canadian interest. For certain classes of icebreakers, bottom coatings can provide significant maintenance and fuel savings.

Question Submitted by Mr. Snyder and Answered by Admiral Hayes

RED RIVER BUOY TENDER

Question. You plan to procure a buoy tender for the Red River—what shore support is available or considered necessary to accommodate this vessel?

Answer. No shore support is currently available. Additional support necessary:

	In thousands
Barge for WLR	$900
Raised embankment	250
Mooring facilities	150
Office building and garage	150
Utilities	50

Advanced design work has not progressed to where these estimates can be considered as contract quality.

Department of Transportation,
U.S. Coast Guard,
Washington, D. C., April 28, 1980.

Hon. John M. Murphy,
Chairman, Committee on Merchant Marine and Fisheries,
House of Representatives, Washington, D.C.

Dear Mr. Chairman: I am pleased to provide the enclosed information as requested in your letter of March 25, 1980.

My letter of March 27, 1980 was in response to your December 17, 1979 inquiry concerning overseas inspections. I anticipate that a reply to your letter of March 13, 1980 will be transmitted in the next week to ten days. While regretting the delays in responding, these are complex issues for which a considered reply is desired.

If I can provide additional information on these subjects please advise.

Sincerely,

J. B. Hayes,
Admiral, U.S. Coast Guard,
Commandant.

Commandant's Strategic Objectives

In public statements and elsewhere on the record, as well as in your testimony on March 13, you have referred to your view of the long term interest of the Coast Guard and to your strategic objectives for the service. It follows that you take these concepts into account when making operational, programmatic, and budgetary decisions as Commandant.

Question. Please enumerate in some detail your strategic objectives for the Coast Guard, not only those described in broad terms in your March 13 statement, but others that you may not have described.

Answer. I have published as a directive within the Coast Guard a formal list of my Strategic Objectives, along with a set of milestones for Calendar Year 1980. A copy of the material in this directive, which is very detailed, is attached.

Strategic Objective: I Quality of Life

IMPROVE THE QUALITY OF LIFE FOR OUR PERSONNEL AND THEIR FAMILIES

Calendar year 1980 milestones

1. Publish a family services directory explaining and detailing benefits and programs available to the member and his family, i.e. CHAMPUS, Drug Counseling, retirement, pay, GI Bill, NAFA, etc.
2. Establish a focal point for family counselling referral at every command. Task the Personnel Division at each District and major HQ Unit with the responsibility for family counselling and referral services. (Will be included as functions of the Human Resources Branch—when established).
3. Develop a formal program for assisting our personnel in acquiring or divesting themselves of private housing, upon transfer. Investigate the feasibility of "buy-back" services similar to that provided by many large companies.
4. Initiate legislative request to increase "dislocation allowance" (DLA) and extend entitlement to single service members.
5. Identify innovative approaches to expanding assistance to our people in acquiring ownership of a first home. Develop legislative proposal which would allow use of appropriated funds for this purpose.

6. Publish a change in Mutual Assistance By-Laws to liberalize loans to cover costs of settling into new duty station private housing for both single and married personnel.

7. Initiate a pilot plan and start working with utility companies to guarantee utility deposits for military personnel using Mutual Assistance funds.

8. Promulgate a policy statement which sets minimum standards for the HAIL and sponsor programs for both married and single personnel. Consider the recommendations of the distaff side.

9. Promulgate a policy statement relative to length of tour stability, encouraging geographic stability through multiple tours in the same area wherever possible.

10. Prepare a legislative proposal which is designed to encourage longer tours at sea through a more generous leave policy for those with seagoing service.

11. Initiate a study to re-evaluate present tranfer and promotion policies in light of future personnel acquisition problems.

12. Revise CAC process with a view toward improving involvement of chain of command and providing district commander veto authority over assignments that will disrupt ability of a unit to function properly.

13. Prepare a decision paper for the Commandant to authorize a pilot program for enlisting personnel under an open-ended contract.

14. Prepare a legislative proposal to authorize adequate housing ashore for single members assigned to vessels.

15. Prepare a legislative proposal which will authorize advance payment of medical bills with appropriated funds subject to reimbursement settlement of claim by CHAMPUS.

16. Establish guidelines for the preparation of UDP's covering the provision of recreation and community facilities such as tennis courts, recreation halls, pools, etc.

Strategic Objective: II Equal Opportunity

CONTINUE THE AGGRESSIVE PURSUIT OF EQUAL OPPORTUNITY AND ENHANCE HUMAN RELATIONS FOR ALL COAST GUARD MILITARY AND CIVILIAN PERSONNEL

Calender year 1980 milestones

1. Let contract to develop data base to establish areas where opportunity needs to be improved and to identify realistic goals.

2. Establish a servicewide program to provide remedial education to those members who have the capacity and desire but not the skills to compete for service schools.

3. Establish and education enrichment program at Recruit Training Centers to improve opportunities for recruits with minimal educational skills.

4. Publish revised procedures which will permit enlistment of OCS candidates more expeditiously and thereby retain them pending convening of next OCS class.

5. Expand upward mobility program from present 38 positions to 80 positions.

6. Develop a goal for female accessions into wage grade jobs in CG industrial establishment.

7. Fill all quotas at Defense Equal Opportunity Management Institute.

8. Simplify (and thus accelerate) the process of handling discrimination complaints.

9. Recruit the authorized Servicewide Hispanic program coordinator, GS-11/12.

10. Develop a program which would take high school counselors from high concentration Hispanic areas (as we have done with blacks) to Academy and training centers for exposure to CG.

Strategic Objectives: III Character of the Coast Guard

ACHIEVE A BETTER BALANCE BETWEEN RESPONSIBILITIES WHICH DEVELOP SEAGOING EXPERIENCE AND THOSE WHICH REQUIRE SEAGOING EXPERIENCE—ENHANCE THE PROFESSIONAL MARITIME CAPABILITIES OF COAST GUARD PERSONNEL

Calendar year 1980 milestones

1. Establish realistic level of ELT/Drug Enforcement effort and develop planning to expand resources to meet this level.

2. Evaluate the feasibility of establishing in-house salvage/MEP capability for Atlantic, Pacific and Gulf coasts.

3. Prepare a "strategy and tactics" paper which would continue the Coast Guard as the primary federal seagoing service agency.

4. Catalog those jobs that generate seagoing experience, those jobs that require seagoing experience, those that do not, and those that are strictly support. Include this in the pending "zero base personnel requirements study."

5. Publish servicewide standards for afloat training program for junior officers and establish system for newly commissioned officers to demonstrate their achievement of minimum standards of professionalism during first tour of duty.

6. Publish standards for periodic recertification of seagoing professionalism qualifications.

7. Identify those billets which are conducive to short term—job specific training.

8 Redirect exphasis in the Academy Mission Area Program (MAP) from staff indoctrination assignments to seagoing experiences including voyages on commercial vessels.

9. To relieve program shortages, develop a program to bring retired merchant mariners into CG Reserve under contracts not to exceed ten years.

10. Develop legislative proposal to improve effectiveness of officer corps through modernization of promotion and retirement system; e.g., reexamine validity of up or out policy, lockstep promotion, allowing selected retention of needed personnel currently forced into retirement, etc.

11. Assign LTJG's to command selected A/N teams.

12. Study the feasibility of clustering MEC's and supporting them using maintenance assist teams from a Support Center.

13. Develop a proposal to justify ship days for advanced training afloat.

14. Conduct analytical study to determine optimum size for vessels and aircraft.

15. Expand double crewing of WPB's.

16. Conduct an experiment in double crewing a WMEC-210.

Strategic Objective: IV Energy

DEVELOP INNOVATIVE PLANS FOR ENERGY CONSERVATION AND FOR REDUCTION OF ENERGY USE IN BOTH OUR OPERATIONAL AND REGULATORY ROLES

Calendar year 1980 milestones

1. Develop a plan to acquire modern equipment which will allow effective area searches with less time and fuel use than presently possible.

2. Sponsor in IMCO resolution on energy conservation.

3. Define CG regulatory role regarding offshore floating power plants and offshore energy sources.

4. Define future role of CG in the control of marine traffic within 200 miles of our shores. Develop a position paper applicable to the Cape Cod area within 12 months.

5. Promulgate a policy statement elevating energy and economic consideration to the same level as environmental and safety considerations in our regulatory decision making process.

6. Develop proposal for closing selected northern stations during winter months.

7. Develop schedule for energy/insulation audit of all shore units and initiate conservation actions in order of greatest savings.

8. Identify units where wind and/or tidal power is a feasible alternative/supplement to existing power sources.

9. Investigate the benefits of fuel or lubrication additives on energy consumption of internal combustion engines.

10. Analyze possible attendant reduced mission performances of raising ambient temperature/humidity standards in those operations which require controlled environment. Alter standards where feasible.

11. Identify all existing buildings with fixed windows which are amenable to conversion for natural ventilation.

12. Develop an action plan to assure all future Coast Guard construction, afloat as well as ashore, considers maximizing energy conservation. Include underground construction as alternative ashore.

13. Promulgate servicewise system for district management of OG 30 tradeoffs where funds are initially withheld and subsequently redistributed only for energy conservation projects.

14. Develop plan to establish a tactical fuel reserve for selected Coast Guard units.

15. Apply to DOE for a fuel allocation classification as an emergency public service activity which will assure high priority fuel allocations.

16. Obtain technological forecast of the availability and economic impact of the use of various types of fuel in our own hardware and for the purpose of fuel conservation through our regulatory procedures.

17. Develop legislative proposal to authorize operation of Coast Guard funded bus/van services to and from government housing complexes, and solicit strong SECTRANS support of the legislative proposal.

18. Develop legislative proposal which authorizes COLA adjustments to CONUS to compensate for energy cost impact on our people and to enable personnel to live closer to station in high cost areas so as to reduce commuting distance.

STRATEGIC OBJECTIVE: V PLANT MAINTENANCE

MAKE A QUANTUM JUMP IN THE IMPROVEMENT AND MODERNIZATION OF THE LOGISTICS SUPPORT AND MAINTENANCE OF THE COAST GUARD PLANT—PARTICULARLY SHIPS AND BOATS

Calendar year 1980 milestones

1. Complete 210′ and 378′ class Cutter Suitability Boards.
2. Complete Operational Readiness Standards for shipboard component systems for use of operational commanders in determining whether ships are mission ready and establish guidelines to aid them in committing afloat resources to various types of missions
3. SICP identify critical spare parts required to support 210′ and 378′ classes.
4. Adopt systems approach to shipboard small boat and lauching system design.
5. Establish a Preventive Maintenance System (PMS) for small boats including installed electronic equipment. Include possible centralization of major boat engine overhauls.
6. Determine alternative sources of electrical repair capabilities for ASSIST teams.
7. Resolve issue of single program manager for SICP. Determine what resources are necessary to upgrade SICP functions to an acceptable level and provide them.
8. Establish pilot programs in Engineering Team Training, Maintenance Assistance Team concepts and double crewing. Within 24 months, evaluate relative effectiveness.
9. Set up system to capture material demand/usage date for ship and boat spare parts.
10. Adapt the aircraft computerized maintenance concept to the existing PMS system for 378′ cutters.
11. Find ways to simplify and speed up procedures for upgrading the shore plant.
12. Develop a Service-wide plan for protecting formerly manned lights.
13. Include Aids to Navigation in the thrust to improve and modernize logistics support and maintenance of the plant.

STRATEGIC OBJECTIVE: VI DECISION SUPPORT SYSTEM

DEVELOP AN INNOVATIVE AND COST-EFFECTIVE APPROACH TO MANAGEMENT OF INFORMATION IN THE COAST GUARD

Calendar year 1980 milestones

1. Designate task group to function under the Information Management Committee of the Strategic Planning Council, to analyze and evaluate Decision Support System needs and submit plan for achieving a comprehensive decision support system which encourages district flexibility while retaining servicewide compatibility (use outside consultants if appropriate).
2. All flag officers analyze decisions they and subordinates make on a routine basis so as to isolate and identify the information elements needed to make those decisions. Accumulate a list of the information requirements and frequency of use for six months, for submission to the taks group established per milestone number 1.
3. Inventory the types of ADP and word processing equipment (and associated communication links) in use servicewide. Specify use of and data provided by each.
4. Designate an MIS manager to support the efforts of the Task Group established per milestone number 1.
5. Develop study format/process whereby districts can evaluate and implement successful work processing systems.
6. Establish a data bank of Reservists' and Auxiliarists' civilian skills and areas of expertise.
7. Publish an information pamphlet for managers which will acquaint them with what data is/will be available in the MIS and how access thereto may be obtained.

Strategic Objective: VII Internal Organization and Management

IMPROVE THE INTERNAL ORGANIZATION AND MANAGEMENT OF THE CG SO THAT IT WILL CONTINUE TO BE A VITAL AGENCY CAPABLE OF MEETING DEMANDS PLACED ON IT WITH A MINIMUM OF BUREAUCRATIC DELAY AND A MAXIMUM OF EFFECTIVENESS

Calendar year 1980 milestones

1. Prepare a catalog of training TV tapes and films that have been made throughout CG so all may use them.
2. Prepare national index of maritime conferences/seminars. Coordinate attendance to maximize CG coverage and exposure consistent with availability of travel funds.
3. Implement the "speech (theme) of the quarter".
4. Provide standard exhibit for use throughout Coast Guard.
5. Produce standard training plan for units by type.
6. Develop brand new recruiting posters, mission by mission.
7. Every district, at least once a year, offer stress training program for officers who are front line spokesmen with media.
8. Accelerate delegation to district commanders, for example: Recruiting waivers, Administrative discharges, Claims settlements, EEO
9. Delegate rulemaking and initial drafting of legislation to a district when scope is geographically limited to that district. Designate lead districts where appropriate to do so.
10. Clarify and legitimatize procedures for overseas inspection of merchant ships.
11. Evaluate and modify, as necessary, the personnel management procedures for administering the Reserve Program.
12. Develop strategy and tactics for updating (recodification and revision) of title 46 USC.
13. Evaluate and streamline the Unit Develpment Plan and AC&I process.
14. Evaluate the feasibility of renaming the Districts geographically instead of numerically.
15. Develop a training plan which will enable us to attain a level of expertise and professionalism required to meet current and expected mission demands.

Strategic Objective: VIII National and International Thrusts

(Enhance the Coast Guard's role as principal maritime operating agency outside DOD. Foster the Coast Guard's role as a substantial asset in U.S. seapower. Increase the coast Guard contribtution to furtherance of U.S. interests in international maritime affairs.)

Calendar year 1980 milestones

1. Initiate a program for a CG officer to visit USSR and other major fishing nations to discuss fisheries problems.
2. Complete the planning and scheduling for a CY1981 international conference of Coast Guard organizations. Include those nations interested in forming a Coast Guard.
3. Sponsor a seminar of foreign agencies (multinational) responsible for fisheries law enforcement.
4. Develop written plan for advertising CG training opportunities available to foreign nations and for processing their responses.
5. Explore OJT for foreign trainees, especially in 7th, 8th, 11th, and 14th Districts.
6. Complete officer exchange programs with U.K. and Mexico.
7. Take steps this year to increase to 25 the number of foreign students at the USCGA.
8. Institute Academy exchanges with foreign naval academies.
9. Assist the International Council of Marine Industry Associations (ICOMIA) to develop international standards for boating safety for submission to the International Standards Organization (ISO).
10. Reschedule personal participation by the Commandant in Shipping Coordinating Committee (SHC) Activities to achieve Coast Guard missions, including utilization of SHC's SOLAS Subcommittee and National Committee on the Prevention of Marine Pollution.
11. Publish a multi-lingual pamphlet describing CG functions/activities for use in international discussions, meetings, etc.
12. Develop LORAN C and pollution response initiatives for consideration by those political entities interested in multilateral cooperation in the Caribbean.

13. Prepare plan to consolidate relationships with Coast Guard counterparts in the Caribbean, particularly the newly independent small island states in the Eastern Caribbean.

14. Develop updated public information kit and distribute to all units down to Group level.

15. Define the Coast Guard's role in protection of offshore assets including response to specific terrorist actions directed against marine facilities.

16. Publish guidance regarding Coast Guard involvement in water space management and facilitating resolution of conflicts.

17. Initiate action that will ultimately result in a National Polar Policy statement.

18. Improve CG coverage in ocean area newsletters and trade papers.

19. Restate the priorities for public information.

20. Replace Commandant's Science Advisor.

21. Increase participation in Naval exercises by 25%.

22. Identify and clarify Coast Guard wartime roles, finish revision of Coast Guard war plans, and distribute to field commands.

Question. Please describe, in broad terms only, any legislation that you will be proposing in order to achieve your strategic objectives.

Answer. You will note that several of the milestones for Calendar Year 19 speak in terms of legislative proposals. Only a few of these will actually result in legislative proposals that will be sent to Congress this year. One such proposal is to authorize adequate housing ashore for single members assigned to Coast Guard vessels. This proposal is now undergoing Administration clearance. It will be of interest not only to your committee, but also to the Armed Services Committee, since there is the potential of its application to the Department of Defense.

Other proposals are still in early conceptual stages, but would basically ask Congress to authorize us to provide our people what we consider to be better conditions of life within the military community, e.g., helping our people relocate more easily when we reassign them, and restructuring leave regulations. In this latter area, one idea which we are developing would permit us to grant compensatory leave time to people who serve over two years on certain types of vessels.

Still other "proposals" are related to legislation already in Congress. For example, Senator Warner's bill on "Variable BAQ" would compensate for cost of living differentials in different geographic locations. Added provisions include increased mileage reimbursement for people transferring to a new duty station, and per diem increases tied to similar GSA increases for civilians. This in effect equates to our milestone concerning compensation for energy cost impact on our people, enabling them to live closer to station in higher cost areas so as to reduce commuting distance. We will be attempting to tie our effort to this proposal.

Question. What major policy changes have you made in pursuit of your strategic objectives.

Answer. I have made it a policy to announce annually a clear statement of our strategic objectives. That in itself perhaps is a major policy change. Certainly my policy to employ women in all of the military functions is a major policy change.

Question. In light of your strategic objectives, do you consider the mission of the Coast Guard as presently defined to be satisfactory. If not how would you change them.

Answer. The strategic objectives are compatible with the present Coast Guard missions but there are undoubtedly some changes that will eventually be made in our missions. I have already undertaken some minor changes such as reorienting the boating safety detachments away from on-the-water enforcement toward education of local marine law enforcement personnel. In general I consider the present mix of missions to be satisfactory, although some changes in emphasis are already taking place and resources, to accomplish missions have lagged.

Question. As compared with your predecessor. Admiral Siler, what stress do you place on the regulatory functions of the Coast Guard versus operations of ships, boats and aircraft.

Answer. I think the regulatory functions of the Coast Guard are very important; however, to be a good regulator one must maintain a high level of expertise in the area being regulated. I think this is particularly so in the maritime field. My goal therefore is to concentrate additional resources in the operating fleet, both to improve mission performance and in order to maintain the necessary expertise to ensure that our own regulatory functions continue to be carried out effectively.

Question. What opportunities do you see to expand the seagoing forces and capabilities of the Coast Guard?

Answer. The present seagoing forces are inadequate to perform properly our current missions. We are intercepting less than 20 percent of the drugs which are coming in by sea and numberous fisheries violations go undetected. The need for a larger fleet already exists but the opportunities to expand our fleet have not been good. The first priority is to improve the condition of the present fleet—a considerable effort in this regard is already underway—and I hope in future requests to be able to enlarge the fleet.

TERRORISM IN THE MARITIME ENVIRONMENT

The Coast Guard, as the principal maritime law enforcement agency of the federal government, has both explicit and implied authority under existing law to protect U.S. ports, vessel in the navigable waters of the U.S., and assets on the U.S. continental shelf from the acts of terrorism. Please expand on your remarks at the March 13 hearing in answering the following questions:

Question. What Coast Guard programs are designed to protect against acts of terrorism?

Answer. The protection of ports and vessels against acts of terrorism falls primarily under the Coast Guard Port Safety and Security Program. Other programs, such as Commerical Vessel Safety, Military Preparedness, and Intelligence and Security, have supporting responsibilities and contribute to planning. Some deterrence results simply from Coast Guard presence in the port area.

Question. Do you have in place a formal training program for Coast Guardsman who may be called upon to deal with terrorists? If not, do you intend to establish such a program?

Answer. The Coast Guard has no formal training program specifically designed to deal with terrorists. The need to establish a more formal program to deal with this possibility has not yet been demonstrated. Although the vulnerability of facilities in the maritime environment to terrorist attack is very high; to date, the threat of an actual incident is correspondingly very low. Futhermore, it has been our position that the owners of facilities retain principal responsibility for physical protection. In the near term, we are mindful that an attack could occur and until a more quantified assessment of the threat is made, the Coast Guard will rely upon the MOU with the FBI and any support local coordination planning to provide response when necessary. In the longer term, Coast Guard will adjust plans and resources commitments as supported by the results of a joint, on-going CG/FBI study, "Terrorism in the Maritime Environment". Hopefully this study will provide the quantified basis to determine whether additional federal commitments to standby anti-terrorism capability is indicated.

Question. What relationships have been established with other agencies, federal or other, to assure coordinated response to terrorist incidents or threats?

Answer. A formalized relationship exists between the Coast Guard and FBI (copy of MOU appended). In addition to this MOU, some local Coast Guard commanders have established liaison with state and municipal agencies in an effort to develop coordinated response capabilities.

Question. To your knowledge, what incidents, if any, involving terrorism in the maritime environment have occurred anywhere in the world in recent months?

Answer. Documented sources available to our Maritime Terrorist Project staff show more than 30 maritime incidents worldwide in the last ten years. Vessels or contiguous shoreside facilities were involved. Of these 30 incidents, 5 occurred in Conus, with the most recent being in 1976 in which the Russian M/V *Ivan Shepetkov* was bombed in Elizabeth Port, N.J. In the last 18 months there have been more than 100 bomb threats to vessels or maritime facilities located within Conus. The majority of threats related to planted bombs. All turned out to be hoaxes.

Question. Do you perceive a present threat by terrorists to U.S. ports or waterways?

Answer. I believe that under our open society virtually any waterfront facility in the nation is vulnerable. The level of the threat and probability of a successful attack occurring is not well defined and is the subject of an on-going joint FBI/CG study. In my opinion, however, the resource commitment to provide even a semblence of "full protection" will be enormous. There is no doubt terrorists possess the capability to strike marine related targets. However, since 1976 terrorists have not targeted and hit facilities or ships in the Conus maritime community. We have upgraded our intelligence sharing capability with the FBI on this subject. As we progress further in our joint study we expect to more accurately define the threat probability, and if the results so indicate, provide better direction to our future counter-terrorist program.

Question. What is the Coast Guard doing specifically to protect offshore assets from terrorist activities?

Answer. The rationale presented in the question on formalized training applies here.

MEMORANDUM OF UNDERSTANDING BETWEEN THE DIRECTOR, FEDERAL BUREAU OF INVESTIGATION, AND COMMANDMANT, U.S. COAST GUARD, CONCERNING A POLICY OF MUTUAL ASSISTANCE IN SUPPORT OF COAST GUARD/FEDERAL BUREAU OF INVESTIGATION OPERATIONS TO COUNTERACT TERRORIST ACTIVITIES IN A MARITIME ENVIRONMENT

In recognition of the U.S. Coast Guard's maritime law enforcement responsibility, and the operations of the Federal Bureau of Investigation in counteracting domestic terrorist activities, the following mutual assistance capabilities are identified. The Coast Guard maintains and operates a large number of strategically located floating units, aircraft, vehicles and shore stations. The Federal Bureau of Investigation maintains a large number of strategically located Special Weapons and Tactics teams (SWAT). Coast Guard personnel are trained to react to law enforcement activities in a maritime environment, while the FBI has personnel who are specifically trained to act as negotiators in dealing with terrorists demands and SWAT teams to use in suppressing terrorist's actions during direct confrontation scenarios. The unique capabilities of the two forces in a combined effort to counteract a terrorist takeover in the maritime environment is recognized.

Close coordination and cooperation between forces of both Agencies is necessary to insure adequate response to potential terrorist activities involving such targets as offshore platforms, port and harbor facilities, liquefied natural gas (LNG) terminals and vessels, floating nuclear power plants, U.S. or foreign vessels within United States jurisdiction and any other target(s) which may require Coast Guard and FBI response.

Accordingly, it is hereby understood and agreed upon that, subject to operational and budgetary constraints, the Agencies making this agreement will provide mutual support to each other in situations involving terrorist activities, threatened or real, and that each Agency will take necessary steps to establish local operating procedures to implement this agreement. It is further agreed that continued planning by the two concerned Agencies will include the development of a specific communications, command and control policy between Coast Guard Districts and FBI Regional offices.

A basic objective of this agreement is to insure a coordinated effort to counteract terrorist activities in the maritime environment. Further, it is expected that this agreement will serve to eliminate delays in response time and insure continued development of procedures and contingency plans to counteract terrorist activities in the maritime environment.

WILLIAM H. WEBSTER,
Director, Federal Bureau of Investigation.
JOHN B. HAYES,
Commandant, U.S. Coast Guard.

BARGE REGULATIONS

The notices of proposed rulemaking on design, construction, and operation of tank barges, published last year, caused great consternation among barge operators and the banking institutions that serve the barge industry.

Question. What is the status of the rulemaking on barges?

Answer. On June 14, 1979 the Coast Guard published a NPRM for new and an ANPRM for existing tank barges which carry oil in bulk. Public comments opposed both proposals and challenged the Coast Guard assessment of potential reductions in pollution and overall cost of implementation. Since receiving the comments, the Coast Guard has contracted with the National Academy of Sciences (NAS) to conduct a study of the problem of oil pollution from tank barges. The final report of the study is due prior to February 1, 1981.

Question. What new evidence are you considering that was not available when the notices of proposed rulemaking were prepared?

Answer. The National Academy of Sciences report will review available evidence and consider recommendations to reduce tank barge pollution.

Question. When do you expect to promulgate final rules on (1) new barges and (2) existing barges?

Answer. The time frame for promulgating final rules for both new and existing tank barges will depend on the recommendations and results of the study. The final report of the study is due prior to February 1, 1981. No specific schedule has been developed beyond this date. The regulatory projects remain at their present stage pending review of the NAS study.

HEADQUARTERS REORGANIZATION

Question. Please describe in some detail the imminent changes to the organization of Coast Guard Headquarters and relate the changes to the emphasis you are placing on various Coast Guard programs.

Answer. There are three sets of changes which are now underway in Coast Guard Headquarters:

The first is the establishment of an Office of Navigation which will be effective May 1, 1980. The reason for this is to provide increased high-level attention for our traditional role in the Aids to Navigation field. The Office of Navigation will be headed by a Flag Officer, and will include responsibility for Short Range Aids to Navigation, Radionavigation Aids, and Bridge Administration.

The second change, tied in with the first, is a reorganization of the Office of Marine Environment and Systems. With the Aids to Navigation functions removed from this Office, we will be able to devote more high-level attention to some of our newer roles. We will reorganize the elements remaining in this Office to place Pollution Prevention at the same organizational level as Pollution Response. This will increase our emphasis on the Prevention aspect of the Marine Environmental Protection Program. We will also create a new division level organization, Waterways Management, to emphasize Vessel Traffic Service management, a program element which is still being developed.

The Third reorganization is a combination of the Office of Public and International Affairs and the Office of Boating Safety. Much of the work done by these two offices is in the same functional areas, requiring the same expertise of their personnel, and serving the same clientele. By combining the two offices I hope to eliminate some duplication of effort and create a more efficient organization to deal with the Coast Guard's "public"—the boating and industrial community. The new Office will be called "Boating, Public, and Consumer Affairs." The Flag Officer billet now heading the Office of Public and International Affairs will be used to staff the new Office of Navigation.

Question. Does the dissolution of the Office of Public and International Affairs mean that you intend that the Coast Guard will have a less active role than before in international activities on behalf of the United States? How are you now organized to deal with international affairs.

Answer. To begin with the last part of the question, we now have an International Affairs Division as a major element of our Office of Public and International Affairs. We also have on our staff a State Department Foreign Policy Advisor, who works as one of my advisors, independent of the Office of Public and International Affairs.

With the third reorganization mentioned in the previous question, the International Affairs Division will be placed under the Foreign Policy Advisor as a special organization reporting directly to me. This hardly indicates a less active role in international activities. Indeed we plan to increase our emphasis on international affairs.

MARINE POLLUTION

In the budget estimates, the Coast Guard identified a reduction in costs for management of pollution funds. This seems to be on the theory that the Administration Ultrafund bill (comprehensive compensation and liability system for oil spills, hazardous substances spills, and chemical waste dumps) will become law during fiscal year 1981 and EPA will take over all fund management.

Question. What is the present Coast Guard policy on Coast Guard management of pollution funds under the Clean Water Act Section 311(k) and the Outer Continental Shelf Lands Act Amendments of 1978, Title III.

Answer. The Coast Guard is mandated to manage the pollution funds specified under the Clean Water Act and title III of the Outer Continental Shelf Lands Act Amendments of 1978. The funds are managed as expressed in these statutes and under guidelines set forth in the National Contingency Plan (40 CFR 1510.65). The Coast Guard will continue these fund management activities as long as the mandate exists.

Question. The Coast Guard manages the cited funds in accordance with the will of Congress, further reflected by this Committee in reporting H.R. 85 in May 1979. How does a policy that EPA should manage all such funds square with the expressed will of Congress?

Answer. The Coast Guard routinely carries out its legislated mandates including fund management, to the maximum extent available resources permit. We do not desire to seek management of additional funds as we believe the legislated purposes of these funds will primarily fall outside the purview of the Coast Guard. We therefore believe it is more appropriate for one of the more directly affected agencies to manage these funds. Please be assured that the Coast Guard will comply with the will of Congress when Congress resolves which of the many new fund proposals before the body will become law.

Question. Are you not concerned that management of pollution funds by another agency will derogate Coast Guard ability to perform response functions?

Answer. The On-Scene Coordinator (OSC) at a spill site is faced with the need for rapid access to funds to support response operations. Provided no significant alteration in policy occurs as a result of a fund management change and the OSC continues to have fast and direct access to funds there would be little impact on the Coast Guard response capability.

Question. What is the basis of the apparent decision to get the Coast Guard out of the fund management business? Is this in any way related to your strategic goals for the Coast Guard?

Answer. The Coast Guard has not made a decision to get out of the fund management business per se. The decision has been made, however, that the expansion of our present fund administration responsibilities is inconsistent with the strategic objectives and long term best interests of the Coast Guard. That decision was based on the judgement that Coast Guard activities should be concentrated on prevention of polluting discharges and on containing or recovering discharges that do occur so as to minimize their harmful effects on the marine environment. Current fund management policies, procedures and scope are consistent with those activities.

Question. Does not Section 311 require the Coast Guard to promulgate regulations governing cleanup procedures and methods? Does this not include setting minimum standards that cleanup contractors should meet before they are employed by the U.S. government?

Answer. The Clean Water Act Section 311 (j) does indicate that methods and procedures for removal of discharged oil and hazardous substances will be established, it does not, however, infer that minimum standards be met by cleanup contractors. However, the Coast Guard is working towards establishing certain classifications for contractors. The classification would be based upon equipment inventories, personnel experience, Coast Guard conducted evaluations and the like, and would help OCS's choose an appropriate contractor for a specific situation.

Mr. OBERSTAR. Our next witness is Mr. Peter Constas, vice president of Apex Marine Corp., from Lake Success, New York.

Mr. Constas, we welcome you to the committee. Your statement will appear in full in the record. You may summarize it or read it as you choose, and you may wish to identify your associates.

STATEMENT OF PETER CONSTAS, VICE PRESIDENT, APEX MARINE CORP., ACCOMPANIED BY THOMAS KEENAN, MARINE SUPERINTENDENT; AND THOMAS MILLS, COUNSEL

Mr. CONSTAS. Thank you, Mr. Chairman.

Mr. Chairman, I am Peter Constas, vice president of Apex Marine Corp. I am accompanied by Mr. Thomas Keenan, our marine superintendent, and by counsel, Mr. Thomas Mills, of Washington, D.C.

Apex is located in Lake Success, Long Island, New York. Apex operates two 82,000 deadweight ton ore/bulk/ore carriers, seven 91,000 deadweight ton tankers and four 25,000 deadweight ton tankers, all under U.S.-flag as managing agent for the individual owning companies.

The purpose of my testimony is to acquaint the committee with a major problem which independent tanker operators face as a result of the Port and Tanker Safety Act of 1978, and to suggest a program which may lead to a solution of that problem.

First, some background. Under the Port and Tanker Safety Act of 1978 and the Coast Guard's implementing regulations, existing tankers must be retrofitted to meet certain environmental and safety standards by June 1, 1981. In setting standards, the Port and Tanker Safety Act, consistent with the IMCO Tanker Safety and

Pollution Protocol of 1978, draws a distinction between "crude oil tankers" and "product carriers." In order to prevent or eliminate the operational discharge of oily ballast, the Act provides an alternative scheme for existing crude oil tankers. A crude oil tanker can permanently retrofit or dedicate some of its existing cargo tanks so that these tanks can carry only ballast water—referred to as "segregated ballast" or "dedicated clean ballast." In the alternative, the vessel can have installed a crude oil washing system. The theory behind the crude oil washing system alternative is that cargo tanks washed with such systems will be clean enough so that ballast water thereinafter introduced will remain clean; therefore when the ballast is pumped out no pollution will occur.

The very great majority of tankers owned by independent U.S.-flag operators were built for log-term charter to oil companies. All commercial charters for carriage of petroleum or petroleum products are based upon a charter rate per deadweight ton—that is, a certain dollar amount per ton of capacity of the tanker. Charter rates are, of course, structured by the operator in order to provide sufficient revenues to cover expenses, service the debt portion of the financing, and return a reasonable profit. Any decrease in the cargo carrying capacity of a vessel having an existing charter will result in a pro rate decrease in the vessel's revenue. Since the crude oil washing option involves no loss of capacity, and no concomitant loss of revenue, it is the only alternative which makes economic sense to the operator.

With respect to the carriage of petroleum products, however, no tank-cleaning option is apparently available. The act provides that product carriers must be retrofitted with segregated ballast or dedicated clean ballast and apparently provides no tank cleaning alternative. I say "apparently" because the act defines crude oil in such a manner that we believe certain petroleum products may be includable under the definition of crude oil. I will return to this point a little later in my testimony.

Therefore, existing vessels which carry petroleum products stand to lose a significant amount of cargo carrying capacity, and with that, revenue under their existing charters. The financial impact on operators of existing product carriers could be devastating.

To use our fleet as an example, each of our large vessels was built with double bottoms because at the time we contracted to build the vessels, the Coast Guard had publicly proposed to make double bottoms mandatory for all new construction. While the Coast Guard later withdrew this proposal, we anticipated that double bottoms might, at some future time, be required and decided to continue with the double bottom design.

The double bottoms provide a very large amount of segregated ballast space on each vessel—approximately 18,454 tons of ballast, or approximately 17 percent of the total capacity of the vessel had it not been built with double bottoms. Nevertheless, under the Coast Guard's regulations fixing the amount of segregated ballast, an additional 17,546 tons of cargo capacity would be lost to each vessel leaving our tankers with approximately 75,000 tons of cargo capacity and the OBO's with approximately 64,000 tons of cargo capacity. In terms of charter hire under existing charter, this would amount to a decrease of approximately 20 percent. Our vessels were built fully coiled so that they could be used to carry both crude oil and "dirty" petroleum products. Our existing charters, which are either lifetime charters, or near-lifetime charters, represent the vessels to be in every way fitted for crude oil or "dirty" product service.

It is our feeling that the heavier petroleum products, such as No. 2 or No. 6 heavy fuel oils, could be used for tank cleaning in the same manner as crude oil. It is our belief that the same crude oil washing systems which will be installed to qualify the vessels as "crude oil tankers" will accommodate these heavier petroleum products and safely clean the tanks after the carriage of these products to the extent that ballast water could be thereafter carried in these tanks and not result in oil pollution when ultimately discharged. We have therefore proposed to the Coast Guard to enter into a program, with the Coast Guard's assistant and cooperation, to prove that "product washing" works. Such a program would involve considerable time and expense but, in light of the severe financial impact engendered by the loss of cargo capacity on ships covered by existing charters, we believe that the program would be worthwhile. Since our ships will be retrofitted within the next year with crude oil washing systems, and since we have long experience carrying both crude oil and petroleum products, we have offered to use our vessels as test platforms.

Assuming we are able to prove that product washing is as safe and effective as crude oil washing, we would hope to be able to use this alternative in meeting the requirements of the act. Because of the substantial time and expense which will be necessary to carry out the program proposed by Apex, we have asked the Coast Guard to determine up front whether it believes it has sufficient authority to accept product washing in determining compliance with the Act.

As I stated earlier, the act is fairly precise in setting forth the available alternatives for crude oil tankers on the one hand, and product carriers on the other. As to our own ships, and those of a number of other companies operating U.S.-flag tankers, the double bottoms provide a substantial amount of existing segregated ballast. We believe, therefore, that those vessels would meet the requirements of the act as it now exists—which is that product carriers have segregated or dedicated ballast. The amount of segregated ballast which each product carrier is required to have is not set by the statute, but has been fixed administratively by the Coast Guard.

Thus, we believe that the Coast Guard has ample authority under the present statute to accept product washing in lieu of additional segregated ballast for those product carriers which have a significant amount of segregated ballast. As to those existing product carriers who do not have preexisting segregated ballast, there may, nevertheless, be authority for the Coast Guard to accept product washing in lieu of segregated or dedicated ballast within, as mentioned earlier, the definition of crude oil. "Crude oil" is defined in the Port and Tanker Safety Act to include "crude oil from which certain distillate fractions may have been removed."

We think that "crude oil from which certain distillate fractions may be removed" may encompass those heavier petroleum products which will be the subject of our proposal and thus the Coast

Guard would have administrative authority to accept "product washing" with respect to those products under the statutory definition of "crude oil." It may be, however, that the Coast Guard does not agree that it has the requisite statutory authority and that some indication by this subcommittee, or even an amendment to the act, may be necessary.

Because product washing would be a significant financial benefit to a broad sector of the tanker industry, we believe that some public funding of the project would be appropriate. We are therefore asking this committee to include within the 1981 fiscal year budget $1 million in funds for research and development earmarked for this project. This amount should be sufficient to cover one-half the cost of the program, the other half to be provided by Apex or other industry sources.

I would also like to mention, because I think it should be of interest to this subcommittee, that the total cost of compliance with the Port and Tanker Safety Act will be approximately $5 million per vessel on our ships. That does not include any moneys which will be spent on the "product washing" proposal. I think this is a good deal more than was contemplated at the time the Port and Tanker Safety Act was passed and quite aside from the possible loss of cargo capacity, represents a huge amount of money which the operators must fund themselves and which ultimately must be passed on to the consumer. In these days of runaway inflation, it may be prudent to take a closer look at the entire program of basing environmental protection features on costly "hardware" options than on less costly operational measures.

Mr. Chairman, we would like to thank you for this opportunity to testify before this subcommittee.

Mr. **Oberstar.** Thank you very much for your statement. It is certainly one of very real concern to our industry and your own company operations.

Have you had discussions with the Coast Guard on this matter and have they given you any indication whether they think a research program on washing of tanks is justified?

Mr. **Constas.** We have had discussions with the Coast Guard and they have shown considerable interest in this.

Mr. **Oberstar.** In doing it on a joint basis, as you propose?

Mr. **Constas.** That is correct, sir.

Mr. **Oberstar.** Why do you need Government participation in this if it is a matter as serious financially to the industry as you have indicated? Why have the industries not gone ahead on their own and done this, to present their case and argue for changes in regulations?

Mr. **Constas.** Once the regulations were put forth, they encompassed a certain size of ship, and this size of ship is the type of ship which has been forced into a situation which could be extremely costly. We must adhere to a rule and regulation which, in our considered opinion, is not flexible enough, to do that which it should do, without very stringent after effects.

Mr. **Oberstar.** What are the costs of doing it the way the Coast Guard insists versus the way that you propose to do?

Mr. **Constas.** For this type of vessel?

Mr. **Oberstar.** Per vessel.

Mr. Constas. For our vessel and for other similar vessels that are in this same position, we would have to, with a product carrier, have segregated ballast, which means that the carrying capacity of that vessel would be decreased approximately by 20 percent, and this would have a very adverse effect on that vessel. These vessels were initially designed under a Marad grant to NASSCO, they were built with the idea that that ballast in those double bottoms as constructed would be sufficient.

Subsequently, new rules were passed which now necessitates compliance to these rules by June 1981. We must take these tankers and two of the OBO's I.F.; the nine vessels in question, and modify these vessels to be either crude carriers or product carriers.

In the case of crude carriers, they would have only the possibility to operate as crude carriers.

Mr. Oberstar. What are the costs involved?

Mr. Constas. $5 million per vessel.

Mr. Oberstar. That is for the conversion of the vessel?

Mr. Constas. That is right. This is for retrofitting. It is not just a simple matter to add new equipment, but you must redesign the vessel to accommodate this new equipment. You have more electrical requirements, you must upgrade generators, and it is a considerable problem.

Mr. Oberstar. If you do not have to convert the vessel, what would be the cost of doing the washing, tank washing, as you propose to do it?

Mr. Constas. We would still wish to do this retrofit on the product carrier, wherein we would have, let us say, an assignment from the Coast Guard that this vessel is a crude and/or product carrier. We would then comply with the law and effectively prevent pollution, which is the reason for the law, of course, and not lose carrying capacity.

Mr. Oberstar. I am still trying to get at the cost of doing that washing operation.

Do you have any figures?

Mr. Constas. As I stated, it will be the same cost. However, that vessel will remain a 91,000 deadweight ton carrier and would not be regulated or scaled down to being a 75,000-ton tanker under the rule.

Mr. Oberstar. Do you have some language you would like to suggest for this committee for establishment of Government industry costs?

Mr. Constas. Yes, sir.

Mr. Oberstar. We would be happy to receive that for the record at this point.

Mr. Constas. We will submit it for the record.

[The information was not received at the time of printing.]

Mr. Oberstar. Thank you very much. We appreciate your testimony this morning. It has been very helpful.

Our next witness is the International Ship Masters' Association. We have Captain Anderson and Captain Coughlin.

Welcome to the subcommittee. We are glad to have you here. I know you speak for the pilots throughout the Great Lakes and the men who have to steer those vessels that are so vitally important to our economic lifeline and we are very glad to have your presence here. And your statement on behalf of the captains and vessels all throughout the lakes.

STATEMENT OF VICTOR ANDERSON, CHAIRMAN OF NAVIGATION AND LEGISLATIVE COMMITTEE; AND CAPTAIN GERALD R. COUGHLIN, ACTIVE MEMBER OF THE DULUTH LODGE, INTERNATIONAL SHIP MASTERS' ASSOCIATION OF THE GREAT LAKES

Captain **Anderson**. Thank you, Mr. Oberstar, Chairman. I must apologize, our spokesman and counselor, Mr. David Spotts, was detained and grounded in Cleveland due to the weather conditions, and so I must speak in his place.

I will read our statement that we have, deleting the first paragraph, but that can be accounted for the record.

The International Ship Masters' Association is the professional association for licesned Great Lakes mariners. Its membership is largely composed of deck officers, most of whom hold master's papers and are either masters of lake vessels or pilots engaged in the Great Lakes/St. Lawrence Seaway trade.

The membership totals over 500 professional and associate members organized in local lodges located in the Great Lakes communities of Gray Bay, Wis.; Ashtabula, Ohio; Duluth/Superior, Minn./Wis.; Ogdensburg, N.Y.; Toledo, Ohio; Detroit, Mich.; Cleveland, Ohio; Chicago, Ill.; Port Huron, Mich.; and Milwaukee, Wis. The association had its origins in 1886, holds local lodge meetings during the winter months and, each year, convenes for a grand lodge meeting in one of the Great Lakes cities mentioned above. The association long has endeavored to be a spokesman working to better the life, safety and navigational conditions experienced by its members.

There are approximately 95,000 square miles of water and 9,500 miles of shoreline on the Great Lakes—the largest body of fresh water in the world. The vessels operated by our members are engaged in the transportation of such vital commodities as iron ore, coal, grain, limestone, cement and petroleum products. Each year a number of ocean vessels transit the Great Lakes via the St. Lawrence Seaway. Both U.S. and foreign vessels carry a variety of commodities into the lakes and carry grain cargoes and manufactured goods out.

Because of the ice conditions existing on the Great Lakes and the seaway system during the winter months, traditionally all lighted buoys and radar reflector-equipped unlighted buoys are withdrawn during late November and December to prevent damage and/or loss of the aids. Some of these buoys are replaced with unlighted buoys not equipped with radar reflectors. These winter markers are barely adequate for navigation and represent a significant reduction in effectiveness when compared with the summer markers.

Once the ice forms, the position of the lighted buoys and the radar reflector buoys becomes suspect, because the buoy hull characteristics make them susceptible to being dragged off position by shifting ice floes. Once the buoys are moved off station, they become a hazard to navitation. In addition, when ice starts to form on the lighted buoys, the light may become obscured, reducing the effectiveness of the aid to navigation.

Mr. OBERSTAR. Captain, let me interrupt at that point.

We have a time problem here. We already lost 45 minutes this morning due to the recorded vote, which was not your fault. We have another subcommittee to come into the room to use the room. I have read your statement fully. It will appear in the record at this point fully.

[The following was received for the record.]

STATEMENT OF INTERNATIONAL SHIP MASTERS' ASSOCIATION OF THE GREAT LAKES

Mr. Chairman, Members of the Subcommittee; my name is David M. Spotts and I am privileged to be Vice-Chairman of the Navigation and Legislative Committee of the International Ship Masters' Association. Also present here today are Capt. Victor Anderson, Chairman of the Navigation and Legislative Committee, and Capt. Gerald R. Coughlin, an active member of our Duluth Lodge.

The International Ship Masters' Association is the professional association for licensed Great Lakes mariners. Its membership is largely composed of deck officers, most of whom hold master's papers and are either masters of Lake vessels or pilots engaged in the Great Lakes/St. Lawrence Seaway trade.

The membership totals over 500 professional and associate members organized in local lodges located in the Great Lakes communities of Green Bay (Wis.), Ashtabula (Ohio), Duluth/Superior (Minn./Wis.), Ogdensburg (N.Y.), Toledo (Ohio), Detroit (Mich.), Cleveland (Ohio), Chicago (Ill.), Port Huron (Mich.), and Milwaukee (Wis.). The Association had its origins in 1886, holds local lodge meetings during the winter months, and each year convenes for a Grand Lodge meeting in one of the Great Lakes cities mentioned above. The Association long has endeavored to be a spokesman working to better the life, safety, and navigational conditions experienced by its members.

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Because of the ice conditions existing on the Great Lakes and the Seaway system during the winter months, traditionally all lighted buoys and radar-reflector-equipped unlighted buoys are withdrawn during late November and December to prevent damage and/or loss of the aids. Some of these buoys are replaced with unlighted buoys not equipped with radar reflectors. These winter markers are barely adequate for navigation and represent a significant reduction in effectiveness when compared with the summer markers.

Once the ice forms, the position of the lighted buoys and the radar reflector buoys becomes suspect, because the buoy hull characteristics make them susceptible to being dragged off position by shifting ice floes. Once the buoys are moved off station, they become a hazard to navigation. In addition, when ice starts to form on the lighted buoys, the light may become obscured, reducing the effectiveness of the aid to navigation.

With the advent of the extended winter navigation season, the need for navigational aids capable of withstanding varying ice conditions has increased. However, because the reliability of the floating aids marking the channels is questionable, vessel personnel are oftentimes uncertain as to their vessel's position within a channel. Lack of lighted channel markers results in costly lost time, since vessels cannot transit the narrow channels after dark once the regular aids are withdrawn. Experimentation with new types of lighted and unlighted floating winter markers has met with varying degrees of success, but none have really solved the problem.

The mariner's dilemma today is that he may find himself navigating a vessel in excess of 1,000 feet in length and with a beam of over 100 feet through a 300-foot-wide channel. From our day-to-day experience and our responsibility of providing a safe passage to vessels of ever-increasing size, under more and more adverse conditions of the extended winter season, we know better than anyone else the need for accurate aids to assist us in piloting.

Fixed aids, or crib lights, are structures built up from a foundation on the river bottom, as opposed to floating aids or buoys which are anchored to the bottom and have a chain attached to the floating buoy. Fixed aids have proven highly successful.

Since 1970, our Association and its subordinate lodges have advocated not only maintaining and replacing existing fixed aids to navigation on the Great Lakes, but also that additional fixed aids be established in certain locations.

In our opinion, there is absolutely no substitute for visual sightings of a fixed aid, or, secondly, for aids positively identified by radar. At times, floating buoys, even if on station, are not distinguishable from rough field ice return on the radar scope. In addition, a mariner needs a reliable aid and he cannot be concerned that a bouy may be off station. Fixed aids to navigation are the logical and economical alternative.

Soon the Coast Guard will complete the establishment of LORAN C, which it believes will provide further navigational assistance to mariners on the Great Lakes. However, it should be pointed out that this electronic device will only provide positions with approximately a 50-foot accuracy and it cannot be relied upon entirely in the restricted waters where large vessels must pass. A 50-foot accuracy in a 300-foot channel is not sufficient for a 1,000-foot vessel with over a 100-foot beam.

We believe that for the Great Lakes and Seaway system the solution is a combination of LORAN C and a system of fixed aids to navigation some equipped with radar transponders (RACON). Tests with LORAN C to date indicate that the system has real promise. However, calibration of the system and development by the private sector of shipboard receivers which will provide the master with the information he needs in the most useful form remains to be done.

The Great Lakes mariner has come to rely heavily on radar. LORAN C will not eliminate or even reduce significantly this dependence. During reduced visibility when he is depending on LORAN C for his position, he must also use his radar to determine the location and direction of other traffic with respect to his vessel. We believe that the two systems, LORAN C and fixed channel markers, complement each other and will insure that maximum benefits are derived from each. Therefore, in addition to completing LORAN C, it is proposed to construct fixed structures with radar transponders.

Our Association is not opposed to LORAN C for open-lake navigation. It is known from world-wide ocean experience that it will be a valuable tool to the Lakers. However, we ask that appropriate funding be provided for the tested and reliable fixed aids to navigation.

Therefore, we recommend that the Congress of the United States specifically appropriate funds to be used for the maintenance, repair and new construction of fixed aids to navigation on the Great Lakes. We ask that these funds be specifically designated to:

1. Maintain and repair all dilapidated fixed aids now in existence, and especialy the Peach Island Range Light located at the lower end of Lake St. Clair;
2. Establish, and in some cases re-establish, new fixed aids as listed in our written statement;
3. Equip selected fixed aids to navigation with radar transponders (RACON);
4. Obtain more winter ice buoys to be placed at seleced locations where they can withstand ice conditions;
5. Use cast iron anchors (sinkers) for mooring winter buoys, as formerly used by the United States Lighthouse Service. They are dome shaped with concave bottom design to provide holding power far exceeding that of the square concrete anchors used by the United States Coast Guard.

Our proposal of using fixed aids to navigation will not pose any adverse environmental impact. A slight increase in turbidity might be expected during construction of the light structures.

Based on computations provided to us by the United States Coast Guard Fixed Aids Division, we believe the cost of each of these fixed aids to be between $300,000 and $400,000; however, this is a unit rate, and it would be hoped that given a major undertaking we could expect a significant reduction in the unit cost. The maintenance cost would be approximately $300 per year, which we understand is significantly under the maintenance cost of floating aids, which must be placed on station and removed every season. Each fixed aid would have a useful life of approximately 50 years, depending on the type of construction.

In conclusion, we wish to express our unified concern that with the coming of the extended winter navigation season on the Great Lakes the need for fixed aids to navigation has increased. We ask that you appropriate funds in accordance with our request so that the safe navigation of vessels on the Great Lakes may continue.

We wish to express our thanks to the Chairman and the members of the Committee for giving our Association the opportunity to express our views.

Respectfully submitted.

DAVID M. SPOTTS,
Vice-Chairman, Navigation and Legislative Committee,
International Ship Masters' Association.

LIST OF FIXED AIDS REQUESTED TO REPLACE FIFTEEN FLOATING AIDS ON THE GREAT LAKES

The following is the list of fixed aids requested for the Great Lakes. The list is divided by area. Within each area, priorities are established by order. For example, Pt. Aux Frenes Buoy No. 19, LL 1465, or Buoy No. 21, LL 1469, is our number one priority on the St. Mary's River.

A. Lake Erie—
1. East Outer Channel Detroit River Buoys No. 1 or 2
2. Toledo Outer Buoys No. 1 or 2

B. Lake St. Clair—
1. Buoy No. 1
2. Buoy No. 14
3. At the foot of St. Clair Cut-Off Channel, replacing the striped can buoy

C. Lake Huron—Huron Cut Buoy No. 8

D. St. Mary's River—
1. Pt. Aux Frenes Buoy No. 19, LL 1465, or Buoy No. 21, LL 1469
2. Munuscong Channel Lighted Buoys No. 6, LL 1481, or No. 8, LL 1482
3. Munuscong Channel Lighted Buoy No. 39, LL 1504
4. West Neebish Channel Lighted Buoy No. 54, LL 1528
5. Munuscong Channel Junction Lighted Bell Buoy, LL 1478
6. Lake Nicolet Lighted Buoy No. 88, LL 1582
7. Middle Neebish Channel Lighted Buoy No. 52, LL 1518
8. Round Island Lighted Buoy No. 32, LL 1638.

Mr. OBERSTAR. I would like to proceed to some questions based on your statement, and I would also like to ask your reaction to the Coast Guard's comments on the point that I raised earlier in the hearing about the fixed aid to navigation.

First of all, tell me what has been the experience during the just concluded shipping season? I know in the previous 1979 shipping season there was some $4 million in damages. Do you know the number of accidents that occurred in the lakes due to lack of fixed aid to navigations and the value of those resulting from accidents?

Captain ANDERSON. This is quite a difficult answer and question due to the fact that there are so many grounds, and these are not directly issued to our segment of this Ship Masters' Association. This is more often kept into the Coast Guard category and also with the company.

Mr. OBERSTAR. The companies do not want to have that information released for insurance purposes, is that right?

Captain ANDERSON. It is due to extent of insurance and probably other reasons.

Mr. OBERSTAR. Would you get as much information that is available to the committee for the record? Whatever you can, the number of groundings and other navigational difficulties?

Captain ANDERSON. Yes.

[The material was not received at time of printing.]

Mr. OBERSTAR. Now, you have repeatedly called these problems to the Coast Guard. What reaction have you had from the Coast Guard to your proposal to fixed aids?

Captain ANDERSON. We can announce now that there is some progress. It has been very slow but, as Admiral Hayes mentioned, there is a couple of lights that are being constructed in the St. Mary's area, and we understand that the money has been appropriated for one of the main lights that Captain Coughlin here in the

Duluth area, for what we call buoy 21 or 19 in the St. Mary's River, but has not been started. There is one other area, they are going into repair with, and that is the Peach Island Ranges in what we call the lower end of Lake St. Claire in the Detroit area.

Mr. **Oberstar**. Yes.

Mr. **Anderson**. This is all we have had for—this has been in the past 2 or 3 months that we have had this information.

Mr. **Oberstar**. In response to a question that I just asked about internal reorganization of the Coast Guard, Commandant Hayes said that the Coast Guard is establishing a new office of navigation. Do you think that that might be helpful to stimulating some action on aids to navigation?

Captain **Anderson**. I would like to give you my answer and also ask Captain Coughlin who is with me to remark on that.

I did make a notation of that, new office of navigation by the Department of Coast Guard, and I think working together with them, it could prove very successful. And with your help and your colleagues here, we could possibly pursue into having our lighted aids help us in that area.

Mr. **Oberstar**. Captain Coughlin, do you have any comments on that?

Captain **Coughlin**. I can talk a long time about the Coast Guard and their help.

As far as the ship's aids are concerned, it has been very much negative down the line. Through my experience in this field, I have been active with them for the past 10 years, I have been on different committees, and those very things have been brought up, the aids to navigation that we are talking about today. They completely ignore it. It is amazing to me that the Coast Guard will ignore a group of people, the masters and pilots of those large vessels throughout the entire Great Lakes. If those people who are doing the job are not in a position to know what is needed for a good safe operation, well, I just do not know who would be.

Mr. **Oberstar**. How many transits does a ship master—one who is working the St. Mary's River area—make in the course of a season?

Captain **Coughlin**. Oh, it would run different ships. I was master of a ship, they run around 48 to 50 round trips.

Mr. **Oberstar**. How many does the average Coast Guard officer make in that same area?

Captain **Coughlin**. They make it in small vessels, and I have the opportunity of bringing out 1,000-foot vessels and sailing that vessel in those congested areas. There is no doubt that the fixed aid is the thing we need. The channels are narrow, 200-foot channels. The ships are 1,000 feet long, and you do not have any room for error. It is a one-shot job. You do it or else you are on the bottom and then you are talking several millions of dollars in the damage.

Mr. **Oberstar**. Sure.

Captain **Coughlin**. That is where we need the fixed aids.

Mr. **Oberstar**. Do you find that the Coast Guard is responsive to your interests? At any level, are they concerned, do they work, do they want to work with the ship masters, do they see the need for fixed needs, are they trying or making an effort within the Coast

Guard and within the administration to secure the funds for such aids?

Captain **Coughlin**. The Coast Guard sees the need of them. They admit that the aids, fixed aids, are very good aids to moving those ships about. Admiral Hayes this morning made a comment on that in one of his talks here, in response to your question. That fixed aids, yes, they do recognize them. But they always come back with the story that they do not have the funds. Funds are limited. That is why we are here at this committee to ask you people if you would please give us some money in this area and also see that the Coast Guard uses it for that.

Now, I was very much saddened to see here that a year ago this committee made an appropriation to put in a crib in the St. Mary's River. Although they did not come up with a specified amount of money, they did say—it is in the Congressional Record, that there was enough money in existing funds to build this crib, depending if the Coast Guard considered it a high-priority issue.

Well, the Coast Guard apparently has not considered it a very high-priority issue. It goes down through the system over the years of completely ignore it.

Mr. **Oberstar**. I must say, in fairness to the Coast Guard, they did ask last year for $6.5 million to the administration for waterway aids to navigation, and the Office of Management and Budget approved just $2.6 million, of which I understand the Coast Guard has committed some $800,000 to Lake St. Claire. I think it is important for us to establish the record here in this authorizing committee. If we can authorize the aids to navigation requirements for the Great Lakes, then when we get this legislation passed, we can go to the Appropriations Committee and ask them to include the funding, even though the Office of Management and Budget does not go along with our viewpoint.

But we do have to have an authorization first to work with.

The first time I raised this matter, with the Coast Guard, one of the reactions was that fixed aids suffer ice damage just as do other aids to navigation. What has been your experience?

Captain **Coughlin**. Not very much. They stand up for many years. If the crib is well built, we have cribs that have been there for many, many years, and they are still there. Occasionally they do get damaged to some extent and have to have a repair, maintenance repair on them, which is not as costly as building the crib from scratch.

Mr. **Oberstar**. At the back of your testimony, in the concluding page, you have a list of some 14 fixed aids requested.

Are they listed in, first of all, in order of priority throughout the lakes, or are those orders of priority within the various lakes listed?

Captain **Coughlin**. We grouped those in the areas.

Mr. **Oberstar**. You have grouped them by area but it seems to me that Port Aux Frenes buoy is your No. 1 priority throughout the whole lake system.

Captain **Coughlin**. In the St. Mary's River, yes.

Captain **Anderson**. Mr. Oberstar, we had this into areas and when this was made up, we did not know directly what the appropriations were for the Port Aux Frenes light, but it is our main concern for the St. Mary's area. We could not neglect the other areas due to the fact of the ice, so we put them in an area and the area gives the priority, I believe. Port Aux Frenes is really the one that was concerned and, of course, when this was made up, the appropriation, we did not know whether it allowed it or not.

Mr. OBERSTAR. It looks to me like you have listed these in an order of sailing.

Captain ANDERSON. No, not necessarily, I believe. No, the only thing is we went into the area due to the fact and the consideration might be given that Lake Erie, the two lights that were suggested are close by. They may be done at the same time for the expense cost in them.

Lake St. Claire was the same, and I believe St. Mary's, of course, that is put into an area that was into the Duluth section, and they have put their priorities as listed.

Captain COUGHLIN. I would like to add, as far as priorities is concerned, I think the St. Mary's River is probably our biggest concern because we have such a big ice problem there, and the vessels do navigate there longer in the season than they do on the lower rivers.

The Coast Guard, they have been keeping it open and ships have been running between Lake Superior and Lake Michigan through a 12-month period.

Mr. OBERSTAR. Certainly that is a crucial, very critical area.

Captain COUGHLIN. And our channels are narrower up there. Predominantly so.

Mr. OBERSTAR. As your statement points out, Loran C is a fine navigational system, but when you are operating narrow channels and have to make decisions quickly, 50-foot margin of error is not very comforting.

Captain COUGHLIN. Let me answer it this way.

You are using Loran C and he says you are here and you have to start a turn in those narrow channels in the St. Mary's River, and you miscalculate by 50 feet, you are lost. You are gone right now. You are talking several million dollars bottom damage to the vessel, depending on the area.

They do have quite a bit of rocky areas there.

Captain ANDERSON. We believe that we could add, too, Mr. Oberstar, with manpower that is required to operate your Loran C, you must have two, at least two men, possibly three men, in this area just to get readings off the chart and put or get readings off the indicator, put on the charts and give the response back to the man that is operating the vessel.

Mr. COUGHLIN. Also I would like to add to his comment there.

Loran C requires costly equipment in order to operate it. A fixed crib out there is free to the man going up the river and can be used by a poor man or rich man. Money is no problem as far as operating the river then. You have got a crib, it is there. All you have to do is look out the window and you see it.

Captain ANDERSON. Seeing is believing, I think.

Mr. OBERSTAR. Captain Bruce?

Mr. BRUCE. I just have one question for either Captain Anderson or Captain Coughlin.

You mentioned the Loran C. But no mention has been made of mini-Loran, that system that is under development, and the operation of which is being tested on the St. Mary's River.

Do you know how that would operate instead of the fixed aids?

Captain COUGHLIN. It was determined that the Loran C is not going to be accurate enough in our narrow channels. It is not going to give you the——

Mr. BRUCE. Not the Loran C. The mini. The adaptation or the refinement of Loran C.

It is supposed to give you accuracy within 15 feet, and it is designed for a narrow twisting channel. It has transmitters on Canada and the United States soil. It is looked at with great expectation by the Lake Carriers Associations, as kind of an all-weather system which would lessen the dependence on buoys or fixed aids?

Captain COUGHLIN. I do not know too much about the results of the mini-Loran C. However, there is not anything in Loran that is going to take the place of fixed aids. Those who have far more knowledge in the field of Loran C, mini-Loran C agree with me on that. They still have had some problems.

I was reading recently where this Loran C, the mini-Loran C is not working out well because there seems to be some errors. The blame is on probably the charts themselves of the rivers, where it is not working out right.

Do you know anything about that?

Captain ANDERSON. Let me add, Captain Coughlin, here that you have very confined waters in the St. Mary's area especially. You are moving a ship that is 105 feet and they are possibly 130 feet in beams. You are having a channel and you are approaching a turn in the channel, you cannot reach out more than a couple hundred feet because you are out of the channel. Your channel is only 400 to 500 feet, and as you are making that turn into a confined area, which is no more than 400 or 500 feet wide, you have already taken 25 percent of that area, it does not give you probably 100 foot for error, to make that turn and get her headed down into the other way.

The confinement on these ships is tremendous. And to—in trying to transpire this from the picture to the actual navigation of it itself is—I do not know, I would not say reliable or unreliable but skeptical maybe.

Mr. BRUCE. Thank you.

Mr. OBERSTAR. Thank you very, very much, and for my part, I just want to assure the ship masters that I will be working with them on this committee to do the best that we can to get the kinds of fixed aids to navigation that I know from my experience having been onboard those big breakers that your work conditions require.

Captain COUGHLIN. Thank you very much, Congressman Oberstar. Anything that you can do, I am sure, is going to be appreciated by all the masters, mates and pilots, as well as the shipowners themselves who own those costly vessels, and they are depending on us to get through those areas without sending them through the shipyard for repairs.

Mr. OBERSTAR. My personal view is that we ought to have all those fixed aids that you listed in your statement, and we will work toward that goal.

The subcommittee will stand adjourned.

[Whereupon, at 1:20 p.m., the subcommittee adjourned, subject to the call of the Chair.]

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COAST GUARD RESERVE

WEDNESDAY, APRIL 30, 1980

House of Representatives,
Subcommittee on Coast Guard and Navigation,
Committee on Merchant Marine and Fisheries,
Washington, D.C.

The subcommittee met, pursuant to notice, at 9:30 a.m., in room 137, U.S. Capitol, Hon. Mario Biaggi (chairman of the subcommittee) presiding.

Present: Representatives Biaggi, de la Garza, Stack, and Melvin Evans.

Staff present: Ricardo A. Ratti, Rudolph V. Cassani, Duncan C. Smith III, John Bruce, and Cynthia M. Wilkinson.

Mr. Biaggi. The meeting is called to order.

The Subcommittee on Coast Guard and Navigation is meeting today to consider H.R. 6666, a bill to revise the laws relating to the Coast Guard Reserve. This bill was the subject of an executive communication from the Department of Transportation.

The Coast Guard Reserve has long been an important and integral part of the Coast Guard. At the present time, the Reserve consists of some 21,000 officers and enlisted personnel. The Coast Guard Reserve is a key element in enabling the Coast Guard to perform its many missions. Its members augment active duty personnel and, in many instances, replace them as an important part of their training.

The bill we are considering today is a revision of those laws affecting the Coast Guard Reserve that are found in title 14, United States Code. This revision makes only a few substantive changes in existing law. It does, however, extensively rewrite and rearrange those laws to clarify them, correct errors and inconsistencies, and update them.

The Coast Guard Reserve is a modern, efficient, and effective organization. It deserves to be regulated by statutes that are clear, consistent, and up to date. H.R. 6666 is directed at that objective. Since the bill is noncontroversial, the subcommittee intends to mark it up immediately following the completion of testimony.

[The bill and executive communication follow:]

I

96TH CONGRESS
2D SESSION

H. R. 6666

To revise the laws relating to the Coast Guard Reserve.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 28, 1980

Mr. MURPHY of New York (by request) (for himself and Mr. BIAGGI) introduced the following bill; which was referred to the Committee on Merchant Marine and Fisheries

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A BILL

To revise the laws relating to the Coast Guard Reserve.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, **That chapter 21 of title 14, United States Code, is amended to read as follows:**

"CHAPTER 21—COAST GUARD RESERVE

"SUBCHAPTER A

"Sec.
"751. Organization.
"752. Authorized strength.
"753. Coast Guard Reserve Boards.
"754. Grades and ratings; military authority.
"755. Benefits.
"756. Temporary members of the Reserve; eligibility and compensation.
"757. Temporary members of the Reserve; disability or death benefits.

"758. Reserve student aviation pilots; reserve aviation pilots; appointments in commissioned grade.
"759. Appointment or wartime promotion; retention of grade upon release from active duty.
"760. Exemption from military training and draft; exclusiveness of service.
"764. Active duty for emergency augmentation of regular forces.
"765. Enlistment of members engaged in schooling.

"SUBCHAPTER B

"COMMISSIONED OFFICERS

"770. Definitions.
"771. Applicability of this subchapter.
"772. Suspension of this subchapter in time of war or national emergency.
"773. Effect of this subchapter on retirement and retired pay.
"774. Authorized number of officers.
"775. Precedence.
"776. Running mates.
"777. Constructive credit upon initial appointment.
"778. Promotion of Reserve officers on active duty.
"779. Promotion; recommendations of selection boards.
"780. Selection boards; appointment.
"781. Placement in promotion zone; consideration for promotion.
"782. Eligibility for promotion.
"783. Recommendation for promotion of an officer.
"784. Qualifications for promotion.
"785. Promotion; acceptance; oath of office.
"786. Date of rank upon promotion; entitlement to pay.
"787. Type of promotion; temporary.
"788. Effect of removal by the President or failure of consent of the Senate.
"789. Failure of selection for promotion.
"790. Failure of selection and removal from active status.
"791. Excessive number; removal from an active status to provide a flow of promotion.
"792. Maximum ages for retention in an active status.
"793. Rear admiral; maximum service in grade.
"794. Appointment of a former Navy or Coast Guard officer.
"795. Grade on entry upon active duty.
"796. Recall of a retired officer; grade upon release.
"797. Regulations.

"SUBCHAPTER A

"§ 751. Organization

"The Coast Guard Reserve is a component of the Coast Guard. It shall be organized, administered, trained, and supplied under the direction of the Commandant.

"§ 752. Authorized strength

"(a) The President shall prescribe the authorized strength of the Coast Guard Reserve if not otherwise prescribed by law.

"(b) Subject to the authorized strength of the Coast Guard Reserve, the Secretary shall determine, at least annually, the authorized strength in numbers in each grade necessary to provide for mobilization requirements. Without the consent of the member concerned, a member of the Reserve shall not be reduced in grade because of the Secretary's determination.

"§ 753. Coast Guard Reserve Boards

"(a) The Secretary shall convene a Coast Guard Reserve Policy Board at least annually to consider, recommend, and report to the Secretary on Reserve policy matters. At least one-half of the members of the Board shall be Reserve officers.

"(b) The Secretary may convene any other Reserve Board the Secretary considers necessary.

"§ 754. Grades and ratings; military authority

"The grades and ratings in the Reserve, including cadets but not grades above rear admiral, are those prescribed by law or regulation. A member of the Reserve on active duty or inactive-duty training has the same authority, rights, and privileges in the performance of that duty as a member of the Regular Coast Guard of corresponding grade or rating.

"§ 755. Benefits

"(a) A member of the Reserve on active duty, on inactive-duty training, or engaged in authorized travel to or from that duty, is entitled to the same benefits as a member of the Naval Reserve of corresponding grade, rating, and length of service. In determining length of service for the purpose of this section, there shall be included all service for which credit is given by law to a member of the Regular Coast Guard.

"(b) Chapter 13 of this title applies to a member of the Reserve under the same conditions and limitations as it applies to a member of the Regular Coast Guard.

"(c) A member of the Reserve who suffers sickness, disease, disability, or death is entitled to the same benefits as prescribed by law for a member of the Naval Reserve who suffers sickness, disease, disability, or death under similar conditions.

"(d) A member of the Reserve on active duty or when retired for disability is entitled to the benefits of section 253(a) of title 42. A member of the Reserve when on active duty (other than for training) or when retired for disability is entitled to the benefits of sections 1071 through 1087 of title 10.

"(e) A member of the Reserve, except an enlisted member retiring on the basis of years of active service, is entitled to the same retirement rights, benefits, and privileges as prescribed by law for a member of the Naval Reserve, and wherever a law confers authority upon the Secretary of the Navy, similar authority is given to the Secretary of Transportation to be exercised with respect to the Coast Guard when the Coast Guard is not operating as a service in the Navy. An enlisted member of the Reserve who retires on the basis of years of active service is entitled to the same retirement rights, benefits, and privileges as prescribed by law for an enlisted member of the Regular Coast Guard.

"§756. Temporary members of the Reserve; eligibility and compensation

"A citizen of the United States, its territories, or possessions who is a member of the Auxiliary, an officer or member of the crew of a motorboat or yacht placed at the disposal of the Coast Guard, or a person (including a Government employee without pay other than the compensation of that person's civilian position) who by reason of special training and experience is considered by the Commandant to be qualified for duty, may be enrolled by the Commandant as a temporary member of the Reserve, for duty under conditions the Commandant may prescribe, including part-time and intermittent active duty with or without pay, without regard to age. The Commandant is authorized to define the powers and duties of temporary members of the Reserve, and to confer upon them, appropriate to their qualifications and experience, the same grades and ratings as provided for members of the Reserve. When performing active duty with pay as authorized by this section, temporary members of the Reserve are entitled to receive the pay and allowances of their rank, grade, or rating.

"§757. Temporary members of the Reserve; disability or death benefits

"(a) If a temporary member of the Reserve is physically injured, or dies as a result of physical injury, and the injury is incurred incident to service while performing active duty, or engaged in authorized travel to or from that duty, the law authorizing compensation for employees of the United States suffering injuries while in the performance of their duties, applies, subject to this section. That law shall be administered by the Secretary of Labor to the same extent as if the member was a civil employee of the United States and was injured in the performance of that duty. For benefit computation, regardless of pay or pay status, the member is considered to have had monthly pay of $600.

"(b) This section does not apply if the workmen's compensation law of a State, a territory, or another jurisdiction provides coverage because of a concurrent employment status of the temporary member. When the temporary member or a dependent is entitled to a benefit under this section and also to a concurrent benefit from the United States on account of the same disability or death, the temporary member or dependent, as appropriate, shall elect which benefit to receive.

"(c) If a claim is filed under this section with the Secretary of Labor for benefits because of an alleged injury or death, the Secretary of Labor shall notify the Commandant who shall direct an investigation into the facts surrounding the alleged injury or death. The Commandant shall then certify to the Secretary of Labor whether or not the injured or deceased person was a temporary member of the Reserve, the person's military status, and whether or not the injury or death was incurred incident to military service.

"(d) A temporary member of the Reserve, who incurs a physical disability or contracts sickness or disease while performing a duty to which the member has been assigned by competent authority, is entitled to the same hospital treatment afforded a member of the Coast Guard.

"(e) In administering section 8133 of title 5, for a person covered by this section—

"(1) the percentages applicable to payments under that section are—

"(A) 45 per centum under subsection (a)(2) of that section, where the member died fully or currently insured under title II of the Social Security Act, with no additional payments for a child or children so long as the widow or widower remains eligible for payments under that subsection;

"(B) 20 per centum under subsection (a)(3) of that section, for one child, and 10 per centum additional for each additional child, not to exceed a total of 75 per centum, where the member died fully or currently insured under title II of the Social Security Act; and

"(C) 25 centum under subsection (a)(4) of that section, if one parent was wholly dependent for support upon the deceased member at the time of the member's death and the other was not dependent to any extent; 16 per centum to each if both were wholly dependent; and if one was, or both were, partly dependent, a proportionate amount in the discretion of the Secretary of Labor;

"(2) payments may not be under subsection (a)(5) of that section; and

"(3) the Secretary of Labor shall inform the Secretary of Health, Education, and Welfare whenever a claim is filed and eligibility for compensation is established under subsection (a)(2) or (a)(3) of section 8133 of title 5. The Secretary of Health, Education, and Welfare shall then certify to the Secretary of Labor whether or not the member concerned was fully or currently insured under title II of the Social Security Act at the time of the member's death.

"§758. Reserve student aviation pilots; Reserve aviation pilots; appointments in commissioned grade

"(a) Under regulations prescribed by the Secretary an enlisted member of the Reserve may be designated as a student aviation pilot.

"(b) A member who is not a qualified aviator may not be designated as a student aviation pilot unless the member agrees in writing, with the consent of parent or guardian if a minor, to serve on active duty for a period of two years after successful completion of flight training, unless sooner released. A student aviation pilot may be released from active duty or discharged at any time as provided for in the regulations prescribed by the Secretary.

"(c) A student aviation pilot who is a qualfied civilian aviator may be given a brief refresher course in flight training.

"(d) A student aviation pilot undergoing flight training is entitled to have uniforms and equipment provided at Government expense.

"(e) Under regulations prescribed by the Secretary, a student aviation pilot may be designated an aviation pilot upon the successful completion of flight training.

"(f) In time of peace, an aviation pilot obligated under subsection (b) to serve on active duty for two years may, with that pilot's consent, serve for an additional period of not more that two years.

"(g) An aviation pilot may be released from active duty or discharged at any time as provided for in the regulations prescribed by the Secretary.

"(h) If qualified under regulations prescribed by the Secretary, an aviation pilot may be appointed as an ensign in the Reserve.

"§ 759. Appointment or wartime promotion; retention of grade upon release from active duty

"(a) A member of the Reserve on active duty, who is appointed or promoted under section 214 or 275 of this title, is entitled upon release from that duty to the highest grade satisfactorily held by reason of that appointment or promotion. The Secretary shall determine the highest grade satisfactorily held.

"(b) Unless otherwise entitled to a higher grade, a member recalled to active duty shall be recalled in the grade in which released under subsection (a).

"§ 760. Exemption from military training and draft; exclusiveness of service

"A member of the Reserve, other than a temporary member, is exempt from registration and liability for military training and service under any other law. No member of the Reserve, other than a temporary member, may be a member of another military organization. A temporary member of the Reserve who is a member of another military component shall, if ordered to active duty therein, be disenrolled as a temporary member of the Reserve.

"§ 764 Active duty for emergency augmentation of regular forces

"(a) Notwithstanding any other law, and for the emergency augmentation of the Regular Coast Guard forces during a time of serious natural or manmade disaster, accident, or catastrophe the Secretary may, subject to approval by the President and without the consent of the member affected, order to active duty of not more than fourteen days in any four-month period and not more than thirty days in any one-year period from the Coast Guard Ready Reserve an organized training unit, a member thereof, or a member not assigned to a unit organized to serve as a unit.

"(b) Under the circumstances of the domestic emergency involved, a reasonable time shall be allowed between the date when a Reserve member ordered to active duty under this section is alerted for that duty and the date when the member is required to enter upon that duty. Unless the Secretary determines that the nature of the domestic emergency does not allow it, this period shall be at least two days.

"(c) Active duty served under this section—

"(1) satisfies on a day-for-day basis all or "a" part of the annual active duty for training requirement of section 270 of title 10;

"(2) does not satisfy any part of the active duty obligation of a member whose statutory Reserve obligation is not already terminated; and

"(3) entitles a member while engaged therein, or while engaged in authorized travel to or from that duty, to all rights and benefits, including pay and allowances and time creditable for pay and retirement purposes, to which the member would be entitled while performing other active duty.

"§ 765. Enlistment of members engaged in schooling

"The initial period of active duty for training required by section 511(d) of title 10, may be divided into two successive annual periods of not less than six weeks each, to permit the enlistment of a Reserve member without interrupting any full-time schooling in which the member is engaged.

"SUBCHAPTER B

"COMMISSIONED OFFICERS

"§ 770. Definitions

"As used in this subchapter—

"(1) 'Reserve officer' means a commissioned officer in the Reserve, except an officer excluded by section 771 of this title or a commissioned warrant officer; and

"(2) 'discharged' means released from an appointment as a Reserve officer.

"§ 771. Applicability of this subchapter

"This subchapter applies only to the Reserve; except that it does not apply to a temporary member of the Reserve.

"§ 772. Suspension of this subchapter in time of war or national emergency

"In time of war or national emergency declared by Congress, the President may suspend the operation of this subchapter or any part hereof. If this subchapter or any part hereof is suspended by the President, prior to placing the suspended provision in operation, the President shall by regulation, in so far as practicable, adjust the grades of Reserve officers in the same manner as adjustments in grade are made for Regular officers.

"§773. Effect of this subchapter on retirement and retired pay

"Except as provided in subsection 796(b), nothing in this subchapter authorizes the retirement of a Reserve officer or the payment of retired, retainer, or severance pay to a Reserve officer; or affects in any manner the law relating to the retirement of, or the granting of retired or retainer pay or other benefits to a Reserve officer.

"§774. Authorized number of officers

"(a) The authorized number of officers in the Reserve in an active status is five thousand. The actual number of Reserve officers in an active status at any time shall not exceed the authorized number unless the Secretary determines that a greater number is necessary for planned mobilization requirements, or unless the excess results directly from the operation of law.

"(b) The authorized number of Reserve officers in an active status below the grade of rear admiral shall be distributed in grade in the following percentages, respectively: captain, 1.5; commander, 7.0; lieutenant commander, 22.0; lieutenant, 37.0; and in the combined grades of lieutenant (junior grade) and ensign, 32.5. When the actual number of Reserve officers in an active status in a grade is less than the number authorized, the difference may be applied to increase the authorized number in a lower grade. A Reserve officer may not be reduced in rank or grade solely because of a reduction in an authorized number as provided for in this subsection, or because an excess results directly from the operation of law. The authorized number of Reserve officers in an active status not on active duty in the grade of rear admiral is two.

"§ 775. Precedence

"(a) Reserve officers rank and take precedence in their respective grades among themselves and with officers of the same grade on the active duty promotion list and the permanent commissioned teaching staff in accordance with their dates of rank. When Reserve officers and officers on the active duty promotion list or the permanent commissioned teaching staff have the same date of rank in a grade, they take precedence as determined by the Secretary.

"(b) Notwithstanding any other law, a Reserve officer shall not lose precedence when transferred to or from the active duty promotion list, nor shall that officer's date of rank be changed due to the transfer.

"(c) A Reserve officer shall, when on the active duty promotion list, be promoted in the same manner as any other officer on the active duty promotion list regardless of the length of active duty service of the Reserve officer.

"§ 776. Running mates

"(a) The Secretary shall assign a running mate to each Reserve officer in an active status not on the active duty promotion list. The officer initially assigned as a running mate under this section shall be that officer on the active duty promotion list of the same grade who is next senior in precedence to the Reserve officer concerned. An officer who has twice failed of selection or who has been considered but has not been recommended for continuation under section 289 of this title shall not be assigned as a running mate under this section.

"(b) A Reserve officer in an active status not on the active duty promotion list shall be assigned a new running mate as follows:

"(1) If a previously assigned running mate is promoted from below the promotion zone, is removed from the active duty promotion list, suffers a loss of numbers, fails of selection, fails to qualify for promotion, or declines an appointment after being selected for promotion, the new running mate shall be that officer on the active duty promotion list, of the same grade, who is next senior to the previous running mate and who is, or may become, eligible for consideration for promotion. If the previous running mate was on a list of selectees for promotion, the new running mate shall be that officer on the active duty promotion list, of the same grade, who is on a list of selectees for promotion and who is next senior to the previous running mate.

"(2) If a Reserve officer suffers a loss of numbers, the new running mate shall be that officer on the active duty promotion list who, after the loss of numbers has been effected, is the running mate of the Reserve officer next senior to the Reserve officer concerned.

"(3) If a Reserve officer is considered for promotion and fails of selection, fails to qualify for promotion, declines an appointment after being selected for promotion, or has his or her name removed from a list of selectees for promotion, and that officer's running mate is promoted, the new running mate shall be that officer on the active duty promotion list, of the same grade, who, at the time the previous running mate was considered for promotion, was next senior to the previous running mate, was eligible for consideration for promotion, and whose name was not included on a list of selectees for promotion.

"(4) In a situation not expressly covered by this subsection, the Secretary may assign a new running mate as necessary to effect the intent of this section that inequitable changes of precedence do not occur.

"(c) A Reserve officer on the active duty promotion list shall, to the extent practicable and consistent with the limitations imposed by this section, be assigned as the running mate of all Reserve officers junior to the officer, who are in an active status not on the active duty promotion list, and who had a running mate in common with the officer just prior to the time the officer was placed on the active duty promotion list.

"(d) The Secretary may adjust, as necessary, the date of rank of a Reserve officer not on active duty so that the date will correspond with that of the running mate assigned to the officer in accordance with this section. If an overpayment of pay and allowances results from adjusting the date of rank, the overpayment is not subject to recoupment.

"§ 777. Constructive credit upon initial appointment

"Under regulations prescribed by the Secretary, a person, appointed as a Reserve officer, may be placed in a position on the Reserve lineal list which reflects that person's experience, education, or other qualifications. For the purpose of this subchapter only, a person appointed for the purpose of assignment or designation as a law specialist in the Reserve shall be credited with a minimum of three years service in an active status. A person holding a doctor of philosophy, or a comparable degree, in medicine or in a science allied to medicine as determined by the Secretary, may be credited with a minimum of three years service in an active status if appointed for an assignment comparable to that of an officer in the Navy Medical Department.

"§ 778. Promotion of Reserve officers on active duty

"(a) A Reserve officer on active duty, other than for training, duty on a board, or duty of a limited or temporary nature if assigned to active duty from an inactive duty status, shall not be eligible for consideration for promotion under this subchapter; but shall be considered for promotion under chapter 11 of this title. If promoted while serving on active duty the officer shall be considered as having been promoted under this subchapter and shall be an extra number in the grade to which promoted for the purpose of grade distribution as prescribed in this subchapter. Upon release from active duty the officer shall be included in the grade distribution authorized by this subchapter.

"(b) Notwithstanding subsection (a) of this section, a Reserve officer who has been selected for promotion to the next higher grade under this subchapter at the time the officer reports for active duty, shall be promoted to that grade under chapter 11 of this title.

"(c) A Reserve officer who has been selected for promotion to the next higher grade under the law applicable to a Reserve officer serving on active duty at the time the officer is released from active duty, shall be promoted to that grade subject to this subchapter.

"(d) A failure of selection for promotion to the next higher grade occurring under this subchapter or under chapter 11 of this title shall count for all purposes.

"§ 779. Promotion; recommendations of selection boards

"(a) Except as otherwise provided by law, a Reserve officer shall be promoted pursuant only to the recommendation of a selection board.

"(b) A selection board shall be convened from time to time so that a Reserve officer in the promotion zone for a particular grade will receive consideration for promotion. A board may be convened to consider officers in one or more grades.

"(c) A selection board shall, from among the names of those eligible Reserve officers submitted to it, recommend for promotion to the next higher grade:

"(1) those officers serving in the grade of lieutenant (junior grade) or above whom it considers to be best qualified; and

"(2) those officers serving in the grade of ensign whom it considers to be fully qualified.

"(d) Before convening a selection board to recommend Reserve officers for promotion to a grade above lieutenant (junior grade), the Secretary shall determine the total number of Reserve officers to be selected for promotion to that grade. The number to be selected shall normally be equal to the number of vacancies existing in that grade, plus the number of vacancies anticipated over the next twelve months, minus the number of officers on the list of selectees for that grade. However, the Secretary may prescribe regulations which provide for the establishment of promotion opportunity percentages for each grade to ensure that equitable promotion opportunities exist among successive groups of Reserve officers being considered for promotion. The number so determined may not cause the number of Reserve officers in an active status in a grade to exceed that authorized for the grade concerned.

"(e) The law and regulations relating to the selection for promotion of a commissioned officer of the Regular Coast Guard to the grade of rear admiral apply to a Reserve officer, except that to be eligible for consideration an officer shall have completed at least ten years commissioned service, of which the last five years shall have been served in the Coast Guard Reserve.

"(f) The report of a selection board shall be submitted to the Secretary for review and transmission to the President for approval. When an officer recommended by a board for promotion is not acceptable to the President, the President may remove the name of that officer from the report of the board.

"(g) The recommendations of a selection board, as approved by the President, constitute a list of selectees from which the promotion of a Reserve officer shall be made. An officer on a list of selectees remains thereon until promoted unless removed by the President under section 788 of this subchapter. If an existing list of selectees has not been exhausted by the time a later list has been approved, all officers remaining on the older list shall be tendered appointments prior to those on the later list.

"(h) The Secretary shall determine the procedure utilized by a selection board.

"(i) A Reserve officer whose name is on a list of selectees for promotion shall, unless that officer's promotion is lawfully withheld, be tendered an appointment in the next higher grade at the same time, or as soon thereafter as practicable, as that officer's running mate is tendered a similar appointment.

"§780. Selection boards; appointment

"(a) A selection board under this subchapter shall: (1) be appointed and convened by the Secretary, (2) consist of at least 50 per centum Reserve officer membership, except in the case of a flag officer selection board where, to the extent practicable, it shall consist of at least 50 per centum Reserve officer membership, (3) consist only of members, Reserve or Regular, senior in grade to any officer being considered by that board, and (4) be composed of not less that five members which number constitutes a quorum.

"(b) A selection board serves for the length of time prescribed by the Secretary, but no board may serve longer than one year. No officer may serve on two consecutive selection boards for the same grade when the second of those boards considers an officer who was considered, but not recommended for promotion, by the first selection board.

"(c) Officers appointed as members of a selection board shall swear or affirm that without prejudice or partiality, having in view both the special fitness required of officers and the efficiency of the Coast Guard, they shall perform those duties imposed on them as members of the board. Not less than a majority of the total membership of a selection board shall concur in each recommendation made by the board.

"(d) An officer eligible for consideration for promotion by a selection board may forward, through official channels, a written communication inviting the attention of the board to any matter in the officer's record in the Armed Forces which, in the opinion of the officer concerned, is important to the board's consideration. A communication forwarded under this subsection shall arrive in time to allow delivery to the board prior to its convening, and shall not criticize or reflect upon the character, conduct, or motive of any officer.

"§781. Placement in promotion zone; consideration for promotion

"Subject to the eligibility requirements of this subchapter, a Reserve officer shall be placed in a promotion zone when that officer's running mate is placed in a promotion zone and shall, in accordance with the provisions of this subchapter, be considered for promotion at approximately the same time as that officer's running mate or as soon thereafter as practicable.

"§782. Eligibility for promotion

"A Reserve officer is eligible for consideration for promotion and for promotion under this subchapter, if that officer is in an active status and has performed the minimum training prescribed by the Secretary. A Reserve officer who has been considered but not recommended for retention in an active status by a board convened under subsection 791(a) of this subchapter, is not eligible for consideration for promotion.

"§783. Recommendation for promotion of an officer previously removed from an active status

"A Reserve officer recommended for promotion by a selection board but not promoted because of removal from an active status shall be reconsidered by a selection board subsequent to returning to an active status and if selected shall be placed on a recommended list of selectees for promotion. A

Reserve officer to whom this section applies is not considered to have failed of selection when eliminated from a list of selectees for promotion solely as a result of being removed from an active status.

"§ 784. Qualifications for promotion

"(a) A Reserve officer shall not be promoted to a higher grade unless the officer has been found to be physically qualified and the character of the officer's service subsequent to the convening of the selection board which recommended the officer for promotion has been verified as satisfactory.

"(b) Subsection (a) of this section does not exclude from promotion a Reserve officer physically disqualified by a medical board for duty at sea or in the field, if the disqualification results from wounds received in the line of duty, and those wounds do not incapacitate the officer for other duties in the grade to which the officer is to be promoted.

"§ 785. Promotion; acceptance; oath of office

"(a) A Reserve officer who has been appointed under this subchapter is considered to have accepted the appointment unless delivery thereof cannot be effected.

"(b) A Reserve officer who has served continuously since taking the oath of office prescribed in section 3331 of title 5, is not required to take a new oath of office upon appointment in a higher grade.

"§ 786. Date of rank upon promotion; entitlement to pay

"(a) When a Reserve officer is promoted to the next higher grade under this subchapter, the same date of rank shall be assigned as that assigned to the officer's running mate. A Reserve officer so promoted shall be allowed the pay and allowances of the higher grade for duty performed from the date of the officer's appointment thereto.

"(b) Notwithstanding any other law and when a Reserve officer's running mate is so entitled, a Reserve officer in the grade of rear admiral is entitled to the pay and allowances of the upper half for duty performed.

"(c) For the purposes of subsection (a) of this section, the date of appointment shall be that date when promotion authority is exercised by the Secretary.

"§ 787. Type of promotion; temporary

"Notwithstanding any other law, if a Reserve officer is promoted when the officer's running mate is promoted and the promotion of the running mate is on a temporary basis, the promotion of the Reserve officer is also on a temporary basis. If subsequently the running mate is reverted to a lower grade, other than for reasons of discipline or incompetence, or at the running mate's request, the Reserve officer shall likewise revert to the same lower grade with corresponding precedence.

"§ 788. Effect of removal by the President or failure of consent of the Senate

"(a) The President may, for cause, remove the name of any officer from a list of selectees established under section 779 of this subchapter.

"(b) If the Senate, where required, does not consent to the appointment of an officer whose name is on a list of selectees established under section 779 of this subchapter, that officer's name shall be removed from the list.

"(c) An officer whose name is removed from a list of selectees and under subsection (a) or (b) continues to be eligible for consideration for promotion. If selected for promotion by the next selection board and promoted, that officer shall be assigned the date of rank and precedence that would have been assigned if the officer's name had not been previously removed. However, if the officer is not selected by the next selection board, or if the officer's name is again removed from the list of selectees, the officer shall be considered for all purposes as having twice failed of selection for promotion.

"§ 789. Failure of selection for promotion

"(a) A Reserve officer, other than one serving in the grade of captain, who is, or is senior to, the junior officer in the promotion zone established for the Reserve officer's grade, fails of selection if not selected for promotion by the selection board.

"(b) A Reserve officer is not considered to have failed of selection if the officer was not considered by a selection board because of administrative error. If that officer is selected by the next appropriate selection board after the error is discovered, and is promoted, the same date of rank and precedence shall be assigned that would have been assigned if the officer had been recommended for promotion by the selection board which originally would have considered the officer but for the error.

§ 790. Failure of selection and removal from an active status

"(a) The Secretary—

"(1) may remove from an active status a Reserve officer who has twice failed of selection to the next higher grade; and

"(2) shall remove from an active status a Reserve officer serving in the grade of captain who has completed thirty years of total commissioned service and whose name is not carried on an approved list of selectees for promotion to the grade of rear admiral.

"(b) A Reserve officer not removed from an active status under subsection (a)(1) of this section shall be retained for the period prescribed by the Secretary.

"(c) Subject to section 1006 of title 10, a Reserve officer who is removed from an active status under subsection (a) of this section shall be given an opportunity to transfer to the Retired Reserve, if qualified, but unless so transferred shall, in the discretion of the Secretary, be transferred to the inactive status list or discharged as follows:

"(1) if removed from an active status under subsection (a)(1) of this section, on June 30 next following the approval date of the board report by virtue of which the officer's second failure of selection occurs; or

"(2) if removed from an active status under subsection (a)(2) of this section, on June 30 next following the date on which the officer completes thirty years of total commissioned service as computed under this section.

"(d) For the purpose of this section, the total commissioned service of an officer who has served continuously in the Reserve following appointment in the grade of ensign shall be computed from the date on which that appointment was accepted. A Reserve officer initially appointed in a grade above ensign is considered to have the actual total commissioned service performed in a grade above commissioned warrant officer; or the same total commissioned service as an officer of the Regular Coast Guard who has served continuously from an original appointment as ensign, who has not lost numbers or precedence, and who is, or was, junior to the Reserve officer, whichever is greater.

"§ 791. Excessive number; removal from an active status to provide a flow of promotion

"(a) Notwithstanding any other provision of this title, whenever the Secretary determines that it is necessary to reduce the number of officers in an active status in any grade to provide a steady flow of promotions, or that there is an excessive number of Reserve officers in an active status in any grade, the Secretary may appoint and convene a retention board to consider all of the Reserve officers in that grade in an active status not on active duty and not on an approved list of selectees for promotion to the next higher grade. The retention board shall select and recommend a specified number of the officers under consideration for retention in an active status. Under this section, a retention board shall—

"(1) to the extent practicable, consist of at least 50 per centum Reserve officers;

"(2) consist only of officers who are senior in rank to any officers being considered by that board; and

"(3) to the extent practicable, consist of officers who have not served on the last previous retention board which considered officers of the same grade.

"(b) Subject to section 1006 of title 10, a Reserve officer who is not recommended for retention in an active status under this section shall be given an opportunity to transfer to the Retired Reserve, if qualified, but unless so transferred shall, in the discretion of the Secretary, be transferred to the inactive status list or discharged on June 30 next following the date on which the retention board's report is approved.

"§792. Maximum ages for retention in an active status

"(a) A Reserve officer, if qualified, shall be transferred to the Retired Reserve on the day the officer becomes sixty-two years of age.

"(b) Notwithstanding subsection (a) of this section, the Secretary may authorize the retention of a Reserve rear admiral in an active status not longer than the day on which the officer concerned becomes sixty-four years of age.

"(c) Except as provided for in subsection (b) of this section, a Reserve officer shall be discharged effective upon the day the officer becomes sixty-two years of age.

"§793. Rear admiral; maximum service in grade

"Unless retained in or removed from an active status under any other law, a Reserve rear admiral shall be removed from an active status on the day that officer completes four years of service in the grade.

"§794. Appointment of a former Navy or Coast Guard officer

"A former officer of the Regular Navy or Coast Guard who applies for a Reserve commission within one year of resigning the officer's Regular commission, and who is appointed in the same grade previously held in the Regular

Navy or Coast Guard, shall be given the same date of rank in that grade as that previously assigned to that officer while a member of the Regular Navy or Coast Guard.

"§795. Grade on entry upon active duty

"A Reserve officer ordered to active duty or active duty for training shall be ordered in the grade held; except that the Secretary may, in the Secretary's discretion, authorize a higher grade.

"§796. Recall of a retired officer; grade upon release

"(a) When an officer in the Retired Reserve or an officer on a Reserve retired list is recalled to active duty, that officer shall be recalled in a manner similar to the recall of a Regular retired officer.

"(b) An officer in the Retired Reserve or an officer on a Reserve retired list recalled to active duty shall upon release therefrom be advanced in the Retired Reserve or on the Reserve retired list to the highest grade held on active duty, if: (1) appointed to a higher grade while on that duty, and (2) that officer's performance has been satisfactory in the higher grade.

"§797. Regulations

"The Secretary may prescribe necessary or appropriate regulations consistent with this subchapter.".

CONFORMING AMENDMENT

SEC. 2. Subsection 1006(e) of title 10, United States Code, as amended, is further amended in the first sentence of the subsection by deletion of the term "787" and by insertion in its place of the term "790", so that the amended phrase will read: "or 8852 of this title or section 790 of title 14,".

EXECUTIVE COMMUNICATION No. 3321

THE SECRETARY OF TRANSPORTATION
WASHINGTON, D.C. 20590

JAN 18 1980

Honorable Thomas P. O'Neill
Speaker of the House of Representatives
Washington, D.C. 20515

3321

Dear Mr. Speaker:

There is transmitted herewith a sectional analysis, and a draft of a proposed bill

> "To revise the laws relating to the Coast Guard Reserve."

The basic purpose of the proposed legislation is to amend chapter 21 of title 14, United States Code, to update various provisions of that title which concern the administration and organization of the Coast Guard Reserve. The last major revision of chapter 21 was accomplished in 1970, (84 Stat. 838, P.L. 91-402). The amendments contained in the proposed legislation would clarify ambiguities which have arisen since that time; would revise in a minor fashion the Coast Guard Reserve officer promotion and retention laws; would resolve inconsistencies between the sections pertaining to a Reserve officer and those pertaining to a Regular officer found elsewhere in title 14; and would, in general, improve the terminology of the sections amended. Additionally, several sections have been renumbered in order to reflect proper numbering practices, and to rearrange the text of the chapter in a manner which makes the text more logical in its organization. Various section numbers have been rearranged, as reflected in the enclosed table, for the purpose of improving the organization of the chapter.

Most of the substantive changes contained in the proposal relate to the revision of the Coast Guard Reserve officer promotion and retention laws and are contained in the amendments to sections 774, 780, 783, 787, and 798 (renumbered 782, 779, 781, 790, and 793, respectively). The only other substantive change relates to augmentation (on the job training), and is designed to significantly enhance our augmentation program by providing consistency in the authority vested in reservists on active duty and those on inactive duty training, while performing similar duties. See section 754.

The amendment to section 774 (new 782) authorizes the Secretary of the Department in which the Coast Guard is operating to prescribe the minimum amount of training required of a Reserve officer to be eligible for consideration for promotion, rather than simply requiring him to obtain a minimum number of "points". This section has also been amended to provide that a Reserve officer is no longer eligible for consideration for promotion if he was considered but not recommended for retention in an active status by appropriate board action.

The amendment to subsection 780(d) (new 779(d)) gives the Secretary regulatory authority to establish promotion opportunity percentages to ensure equitable promotion opportunities among successive groups. This needed flexibility will allow the Secretary to adjust the vacancies on a yearly basis to provide a reasonably consistent promotion pattern for successive groups of officers being considered for promotion. The amendment to subsection 780(e) (new 779(e)) changes the requirement that a Reserve captain have a minimum of twenty years total commissioned service in the Regular or Reserve components of the Coast Guard before being eligible for selection to the grade of rear admiral, to a requirement of at least ten years commissioned service, the last five of which must be in the Coast Guard Reserve.

A minor substantive change has been made to section 783 (new 781). The section, as amended, authorizes the Secretary to exercise some additional flexibility as to when a Reserve officer may be considered for promotion to the next higher grade, by addition of the phrase "or as soon thereafter as practicable" to the current requirement that he be considered "at approximately the same time as his running mate." The amendments to section 787 (new 790) impose a date certain for the removal from an active status of Reserve officers twice having failed of selection for promotion to the next higher grade and not retained by Secretarial discretion, and for Reserve captains who have completed 30 years of total commissioned service. Removing these latter officers from an active status will help the promotion flow and correspondingly enhance the career opportunities of those officers in the grades below that of captain. A new subsection authorizes the Secretary, if he exercises his discretion to retain a Reserve officer who has twice failed of selection to the next higher grade, to prescribe the period for which that officer should be so retained. Finally, section 798 (new 783) is amended to reduce the tenure of Reserve rear admirals from 5 to 4 years to provide Reserve captains with a greater selection opportunity to that grade.

The amendment to section 754 (which is not renumbered) alleviates the difficulties the Coast Guard has encountered in providing realistic training opportunities for reservists in an "inactive-duty training" ("IDT") status (as defined in subsection 101(31) of title 10, U.S. Code). The Coast Guard could enhance the augmentation training opportunities for reservists in an IDT status, while utilizing their services more beneficially, if they are on an equal footing with reservists in an active or annual training duty status as regards their authority to perform various missions. For example, it would be cost-effective to permit IDT reservists to perform and report on inspections of bridges and marine facilities located near their homes, but distant from active duty Coast Guard units. Under present law, however, those members in an IDT status have no inspection authority, and could even be faced with personal liability for acts performed in the absence of that authority.

This proposal will result in a negligible increase in cost to the Federal Government. It is, therefore, recommended that the proposed legislation be enacted by Congress.

The Office of Management and Budget has advised that there is no objection from the standpoint of the Administration's program to the submission of this proposed legislation to the Congress.

Sincerely,

Neil Goldschmidt

Enclosures
  Draft bill
  Table of revised section numbers
  Sectional analysis
  Comparative Type

[Enclosures not printed.]
[Draft bill became H.R. 6666.]

Mr. BIAGGI. Our first witness this morning, representing the Coast Guard, is Rear Adm. Sidney Vaughn, Chief of the Office of Reserve.

STATEMENT OF REAR ADM. SIDNEY B. VAUGHN, CHIEF, OFFICE OF RESERVE, U.S. COAST GUARD, DEPARTMENT OF TRANSPORTATION

Admiral VAUGHN. Good morning, sir. I am pleased to have the opportunity to speak to H.R. 6666. Due to the length of my statement, I would ask that I be allowed to offer it into the record and make a very short opening presentation.

Mr. BIAGGI. Without objection, so ordered.

Admiral VAUGHN. Mr. Chairman, the intent of this bill, revising chapter 21 of title 14, United States Code, is to improve clarity, to improve compatibility with language in the regular Coast Guard section of Title 14, to provide a more equitable opportunity for the selection, promotion and retention of our Reserve officers, and to improve the overall management of the Coast Guard Reserve program.

This bill represents, in its present form, several years of development. Any prior objection has been resolved; there remains no controversial sections, and therefore, to the best of my knowledge, there is no opposition from any quarter. It will not adversely affect any member of the Coast Guard Reserve and has the full support of the Reserve Officers Association.

Mr Chairman, that concludes my remarks. I would be pleased to answer any questions you might have.

Mr. BIAGGI. Will you give us a brief statement on the present state of the health of the Coast Guard Reserve?

Admiral VAUGHN. Yes, sir. Currently, we are authorized for 11,700 and we are funded for 11,700. We had, at the end of last week, 11,678 in our Selected Reserve. Since the first of this fiscal year, we have been very close to or above our authorized strength.

So, strengthwise, we are in good shape, as far as the Selected Reserve is concerned.

Mr. Biaggi. Do you have any problems?

Admiral Vaughn. Our biggest problem now is that the total strength of the Ready Reserve is such that it leaves us anywhere from 2,000 to 5,000 short in meeting our mobilization requirements. When I say 2,000 to 5,000, this is a function of the percentage of the Individual Ready Reserve which would report upon mobilization.

Our most serious current problem is the travel ceiling, and this has caused very serious problems for us, particularly as far as the active duty for training that we have coming up this summer. We estimate that 37 percent of the Selected Reserve will be adversely affected by the current travel ceiling that is imposed upon us.

Mr. Biaggi. What does that mean in practical terms?

Admiral Vaughn. Well, in practical terms it means that there will be people that will go to different schools than they were originally scheduled for due to going to schools located closer to their home; they will not go to school at all, but will augment at their regular unit closer to their home, or perhaps not do any ADT at all.

Mr. Biaggi. What will be the net effect?

Admiral Vaughn. Well, it will reduce the readiness and the training of the Coast Guard Reserve.

Mr. Biaggi. In dollars, what would you require?

Admiral Vaughn. We do not need dollars. It is a matter of the ceiling.

Mr. Biaggi. I am aware of that; they placed a ceiling on dollars.

Admiral Vaughn. We have the dollars, but we cannot spend them for travel. I am speaking solely of the Reserve as far as having dollars.

Mr. Biaggi. Would you regard that as a critical situation?

Admiral Vaughn. Yes, sir, I certainly would. As I said, I think this is probably the most serious problem we have at this time.

Mr. Biaggi. Could you expand on the need for amending section 754 of title 14 relative to inactive duty training?

Admiral Vaughn. Currently, we feel that that particular section is unequal in the way it is being applied. As you are aware, the section says that anyone on active duty for training has the same authority, privileges, rights, and so forth, as a regular Coast Guard member That has been interpreted to mean that inactive duty for training—and this is the weekend drill—that, in effect, a reservist does not have those types of authorities, rights, powers, and privileges.

This means that during a man's active duty for training drill—and this is the two weeks that he does at some time—he has all powers that a regular member does. The next weekend, if he is training in an inactive duty status, he has none whatsoever. So the way that he is used and the way that he is trained has to reflect the type of active duty or inactive duty for training that he is in at that time.

It causes a problem for the regular unit in the way that they would use him; it does not allow them to use him in the most efficient manner, and therefore he does not get the maximum amount of training from his time spent.

Mr. Biaggi. I understand you have a copy of the revised version of this bill.

Admiral Vaughn. Yes, sir.

Mr. Biaggi. Do you have any objection to any of the proposals?

Admiral Vaughn. No, absolutely not.

Mr. Biaggi. Mr. Smith?

Mr. Smith. Mr. Chairman, I know that you intend to mark up this bill, and Mr. Young and the Minority members have no objection to that. However, there are a number of questions regarding the legislation which we would like to submit for written answers for the record, and if the Admiral could do that within a week so that we could have the answers before the full Committee meets.

Mr. Biaggi. Well, I have no problem with that, but would the answers to those questions contain a potential for affecting the legislation?

Mr. Smith. Well, Mr. Young has asked that if the answers raise any questions that may require amendment, that the members' rights be reserved for that purpose.

Mr. Biaggi. Fine.

Mr. Smith. We do not anticipate anything at this time.

Mr. Biaggi. Mr. Bruce?

Mr. Bruce. Everything is contained in these questions.

Mr. Biaggi. Fine.

Mr. Smith. Mr. Chairman, we also have a statement that Mr. Young would like to enter into the record

Mr. Biaggi. Without objection, so ordered.

Thank you, Admiral.

[The following were received for the record.]

STATEMENT OF HON. DON YOUNG OF ALASKA, RANKING MINORITY MEMBER OF THE COAST GUARD AND NAVIGATION SUBCOMMITTEE

Mr. Chairman, I am pleased today that we can consider H.R. 6666, a bill revising the laws relating to the Coast Guard Reserve. I am very interested in the vitality of the Reserve and in ensuring that it can make a meaningful contribution to the security and defense of this Nation through its mobilization efforts and can effectively augument the regular service.

Mr. Chairman, I understand that this bill will make several changes in current law that will improve the effectiveness of the Coast Guard Reserve and its administration.

Perhaps the single most important change is providing reservists with the same authority to act as their active-duty counterparts have. With this authority, Reservists will not be hamstrung when performing duty augmenting the regular Coast Guard in law enforcement and other activities regarding the multiple missions of the Coast Guard. I am also concerned that the revision regarding the officer retention and promotion laws result in a fair and equitable system. Further, I not that a certain degree of needed reorganization, simplification, and modernization is accomplished.

Mr. Chairman, as you are aware, the last revision of the laws governing the Coast Guard Reserve was ten years ago. Therefore, I am pleased that we are taking the opportunity now to improve the current law and eliminate certain ambiguities, inconsistencies, and deficiencies.

STATEMENT OF REAR ADM. SIDNEY B. VAUGHN, U.S. COAST GUARD

I am Rear Adm. Sidney B. Vaughn, chief, Office of Reserve, United States Coast Guard. I am delighted to have the opportunity to speak with you today on H.R. 6666, a bill to revise the laws relating to the Coast Guard Reserve.

The intent of this bill revising chapter 21, title 14, U.S. Code is threefold: To improve clarity; to improve compatibility with language in the Regular Coast Guard portion of title 14; and to make a small number of substantive changes that will both assist in more effectively managing our Reserve program and in providing a more equitable opportunity for the selection, promotion, and retention of our Reserve officers. Since most of the substantive changes deal with inactive duty Reserve officer selection, promotion, and retention, I thought a brief explanation of this area of the Reserve program might be helpful.

An inactive duty Reserve officer is essentially any officer who is not on active duty. Normally these are officers who have completed a tour of active duty of three or more years with the regular Coast Guard and have continued to participate in the Reserve on a part-time basis—by performing monthly drills and an annual two-week training period as a member of the Coast Guard Selected Reserve. It is these inactive duty Reserve officers who are affected by this proposed legislation.

Each inactive duty Reserve officer is assigned a running mate who is a Regular officer on the Active Duty Promotion List. The Reserve officer moves into a promotion zone when his running mate is placed in a zone; is considered for promotion as soon after his running mate as is practicable; and if selected for promotion, is promoted as soon as a Reserve vacancy becomes available after his running mate has been promoted.

Mr. Chairman, in the following discussion I will be referring to "active status" and "inactive status" which are not to be confused with "active duty" but refer to categories within the inactive duty Reserve.

The opportunities for promotion to the more senior grades are lower in the Reserve than in the Regular service. Reserve officer strength authorizations are based on mobilization requirements with the result that comparatively fewer senior Reserve Officers billets are available.

The competition for selection, which is comparable with the Regular Service at the more junior levels, is successively more difficult at the lieutenant commander, commander, and captain levels because of fewer vacancies. For this reason, a number of qualified and capable officers fail of selection for promotion to these grades. After twice failing of selection, unless otherwise retained, such an officer is removed from active status. Depending on years of service, he or she would then be retired, placed in an inactive status or discharged.

Because of the strong competition for a limited number of billets, vacancies must be created. Each year the promotion flow begins by holding a retention board for captains. The vacancies created by removing captains from active status in this manner, when added to those resulting from retirements or other reasons, provide opportunities for the selection of commanders for promotion to captain. The promotion of commanders creates opportunities for the selection of lieutenant commanders for promotion to commander, and so on.

The Regular Coast Guard adopted a "best qualified" promotion system in 1963. The Reserve adopted a similar system in 1970. At that time, a number of changes were made in Reserve law to implement that significant change. Although made in good conscience, the experience of the past few years under a "best qualified" system has pointed out inconsistencies and defects in some sections and the need for improvements in other sections of the present law. We therefore undertook a complete revision of chapter 21, title 14, which contains the laws governing the Coast Guard Reserve. The result is the bill before you. The more important changes contained in this bill are:

Section 704.—In the first sentence of this section, the words "or regulation" have been added to recognize the fact that enlisted ratings are a matter of regulation rather than statute.

In the second sentence the words "or inactive-duty training" have been added to provide a consistency in authority vested in reservists performing similar duties in different training statuses. Under the current statute, a reservist on his two week active duty for training is vested with the same authority as a member of the regular Coast Guard. The weekend following his two weeks of active duty, the same reservist performing his monthly weekend drills has no authority to perform similar duties because reservists on inactive duty for training are not within the purview of the statute. This precludes the full participation of our reservists while training with their Regular Coast Guard contemporaries. This addition will enhance our primary goal of relevant mobilization training accomplished through augmentation of Regular Coast Guard forces.

Section 728 (current 791).—This section currently excludes inactive duty Reserve officers performing active duty for training or active duty on a board from consideration for promotion and promotion under laws applicable to active duty officers. To do otherwise would place these inactive duty officers in the inequitable position of being required to compete for promotion with full-time active duty officers. As amended, the category of excluded active duty has been enlarged to include an officer on limited or temporary duty if recalled from an inactive duty status. This category would include, for example, an officer recalled to work on a special project or for a limited amount of extended active duty.

Section 729 (current 780).—This section addresses recommendations of promotion boards; subsection (d) has been amended to include all the basic provisions of current section 772(c), and to authorize the Secretary to establish, by regulation, promotion opportunity percentages to ensure equitable promotion opportunities among succeeding promotion groups.

In subsection (e) we propose at least ten years commissioned service, of which the last five years shall have been served in the Coast Guard Reserve, as eligibility criteria for selection to the grade of Rear Admiral in the Coast Guard Reserve. The authority established in section 593, title 10, U.S.C., whereby Reserves can be appointed in grades above lieutenant commander, indicates the intent of Congress to recognize the exceptional qualities in exceptional people. To then preclude their competition for the grade of Rear Admiral in the Coast Guard Reserve because of failure to perform twenty years commissioned service in that component, as required by current statute, would seem to ignore these same qualities. While we want to temper the stringency of this constraint, we also feel that, an officer selected to flag rank must have knowledge of and experience with the Coast Guard, commensurate with that grade. Thus, the five year Coast Guard Reserve criteria.

Section 732.—Curently section 785 authorizes the Secretary to establish a minimum point total to be attained by a Reserve officer before being considered for promotion. We do not feel this affords sufficient latitude to management to address the issue of quality of training performed. Therefore, our proposed revision deletes section 785 and here, in section 732, we have amended the first sentence to include the wording "* * * and has performed the minimum training prescribed by the Secretary." This authority for a broader eligibility provision emphasizing the training aspect is considered to be desirable for future use and will lend added credibility to the meaning of "best qualified" in our selection process.

Section 740.—This section currently provides authority for the Secretary to retain in an active status officers who twice fail of selection; requires the discharge of officers not retained upon completion of a specified number of years of total commissioned service, and provides general guidance concerning officers who are eliminated from an active status. The proposed revisions would accomplish several desirable changes.

First, the authority of the Secretary to retain officers twice failing of selection would be modified to include a requirement to designate the specific period of retention. This would eliminate any possible interpretation under present law that retention is open ended.

Second, a new provision has been added which would require the removal of captains from an active status upon completion of 30 years total commissioned service. Currently, other than by reaching the mandatory age for retirement, retention board action pursuant to section 787a is the only method of involuntarily removing captains from an active status, and this is necessary to start the promotion flow each year. This change could reduce the number of captains that are required to be removed annually by a retention board, a situation which undeservedly is interpreted by some officers as implying that they are "least qualified."

The substitution of the more impersonal requirement for removal upon completion of a full, 30-year service career is a preferred method and is consistent with the law applicable to active service members.

Section 743 (current 798).—This section would reduce the tenure of Reserve rear admirals from five to four years. Since only two rear admirals are authorized in an active status, this reduction of tenure would increase the opportunity for selection among captains from one chance in two and one-half years to one chance in every two years.

Mr. Chairman, the enactment of this proposed legislation will both benefit the members of the Coast Guard Reserve and improve the overall management of the Coast Guard Reserve Program. Confusing language in current law will be eliminated; the relatively small number of substantive changes will assist in more effectively managing the program; and more equitable opportunity for selection, promotion and retention would be afforded to Reserve officers. The general effect will be to make inactive duty Reserve officer promotion and retention legislation more in line with the legislation applicable to active service officers.

Mr. Chairman, this concludes my statement. I will be pleased to answer any questions this committee may have.

Mr. BIAGGI. Maj. Gen. J. Milnor Roberts, executive director of the Reserve Officers Association.

STATEMENT OF MAJ. GEN. J. MILNOR ROBERTS, EXECUTIVE DIRECTOR, RESERVE OFFICERS ASSOCIATION OF THE UNITED STATES

General ROBERTS. Good morning, Mr. Chairman. It is a pleasure to be with you this morning. I have submitted a prepared statement which I would ask be inserted in the record.

Mr. BIAGGI. Without objection, so ordered.

General ROBERTS. I am primarily here to reinforce Admiral Vaughn's position when he states that the Reserve community is behind this. I would like you to know that the entire organization of 120,000 officers and warrant officers of the Washington-based association is in support of the Coast Guard Reserve as an important part of our total program. That is why I wanted to come over and be with you this morning.

We are particularly happy to see, in the change to title 14, the section 754 which Admiral Vaughn referred to, because this permits our Coast Guard personnel, when on weekend training, to have more authority than they currently have, and I think that is important.

Also, we are very pleased with the ability to train new accessions in the Coast Guard in two succeeding summers, because this gives greater flexibility to the recruiting program, and has been emulated in at least one other service and, we would hope, in all the services in the near future.

The provision for two or more Reserve officers on promotion boards has been adopted in at least one version of the DOPMA legislation, which is the Defense Officer Personnel Management Act, and we think this is a good initiative on the part of the Coast Guard.

In Admiral Vaughn's testimony, he referred to the strength of the Reserve as just about at authorized strength, calling attention to the fact that there would appear to be a shortfall on mobilization. It is my understanding that the requirement on mobilization is 22,000. The selected Reserve of the Coast Guard being at 11,700, it is short by about one-half. There are not that many people in the IRR of the Coast Guard right now.

So we have testified before other committees this spring asking for an increase in the selected Reserve of the Coast Guard by 800 for fiscal year 1981, bringing it up to 12,500. We have also made the point that we believe that this strength should be gradually increased to 15,000 over a period of several years, which would be a more comfortable position than presently, at 11,700, when we have a 22,000 requirement.

It is my understanding that presently, there are about 8,000 in the IRR, and this number gradually is attritioning down. We believe the Coast Guard Reserve has proven itself not only as a requirement for mobilization, but also because in peacetime it is extremely useful, as you undoubtedly are aware.

At least 65 percent of the personnel in the Coast Guard Reserve are getting hands-on training. As a matter of fact, some Coast Guard installations are operated solely by Reserve personnel during the summers. So it is a bargain to the taxpayer, and we believe it will be prudent to increase the selected Reserve strength. Thank you, Mr. Chairman.

Mr. BIAGGI. Would it be reasonable to conclude that section 754 would improve the morale of the men?

General ROBERTS. Yes, sir, I do not think there is any question about that. Presently, they are at somewhat of a disadvantage when they run across people who need to be disciplined and they do not have the authority.

Mr. BIAGGI. Any questions, Mr. Smith?

Mr. SMITH. No.

Mr. BIAGGI. Mr. Bruce?

Mr. BRUCE. No.

Mr. BIAGGI. I have no questions for you, General, but I want to thank you very much for your presence and testimony. Despite the noncontroversial nature of the bill, it still heartens one to know that we have people like you and your organization who are especially interested and come by and are supportive.

General ROBERTS. Thank you very much, sir.

[The following was received for the record:]

STATEMENT OF MAJ. GEN. J. MILNOR ROBERTS, ARMY OF THE UNITED STATES (RET.), EXECUTIVE DIRECTOR OF THE RESERVE OFFICERS ASSOCIATION OF THE UNITED STATE

Mr. Chairman and Members of the Committee: We welcome the opportunity to appear before your Subcommittee to express our views and make recommendations relative to proposed legislation important to the Coast Guard Reserve.

As you know, ROA is chartered by the Congress with the objective of seeking and supporting a strong national defense posture. We consider this Charter a serious obligation, and we are deeply concerned about the state of our military strength. Of some special concern is the protection of harbors, waterways, offshore oil producing sites, and extended Coastal sea lanes, for which we place strong reliance on our entire Coast Guard, both active and Reserve.

In considering these two components together, the term Total Force has now become more than a pat expression or a vague concept. It is very real, and each o the Armed Services are striving, with varied success, to become wholly managed in accordance with the Total Force Policy. No Service, however, can claim greater adherence nor be more totally an example of this policy than the United States Coast Guard. Here the active duty and Reserve forces together share the Coast Guard's peacetime role to great degree, and during mobilization, when the Reserve Forces report to Defense, they continue in the missions they have been performing in peacetime.

We are pleased to note during the past year the Coast Guard Reserve has fully justified the confidence placed in it by the Congress, by the Departments of Transportation and Defense, and by the Commandant of the Coast Guard. The extremely high performance Reserve force has now become established and acknowledged as a vital and necessary partner to the active Coast Guard forces in peacetime as well as in mobilization situations.

The proposed legislation, H.R. 6666, being considered here, is considered extremely important in that it represents needed clarifications and modernization of Chapter 21—Coast Guard Reserve of Title 14, U.S. Code, dealing with Coast Guard Reserve officer management laws, and where applicable it aligns Coast Guard Reserve promotion, authority, benefits and certain operational management criteria with those of the Regular component.

Mr. Chairman, ROA is pleased with H.R. 6666. As an organization strongly supporting the Coast Guard Reserve, we have witnessed, and where possible, participated in detailed scrutiny of all facets of the bill and have seen it take shape and become finely attuned to the peculiar requirements of the U.S. Coast Guard in its desire to fully support its Reserve component without stifling with controls.

While the entire bill is recommended for approval, ROA is especially pleased with certain sections, and I would like to commend to the attention of this subcommittee three of these as illustrative of the beneficial changes typical of this proposed amendment:

Section 754 now provides that a Reservist "on active duty or inactive-duty training has the same authority, rights, and privileges in the performance of that duty as a member of the Regular Coast Guard of corresponding grade or rating." Current law disallows Reservists from exerting legal authority in dealing with incidents of boating safety violations, etc. In effect they have been policemen with wooden guns. This will not be rectified.

Sections 765 and 780 have been strengthened and clarified by changed verbiage. These two sections, while not radically changed, are cited here because they are the envy of other Reserve components. They allow, in the first instance, for an initial Active Duty for Training period for a person recruited under Section 511(d) of Title 10, to be performed in two successive summer periods rather than in one long period which could disrupt the Reservists' school or job. In the second instance, it provides that at least 50 percent of Regular promotion selection boards considering Reservists must be Reserve officers, a most desirable mix. Title 10, U.S. Code, for other Services, currently prescribes only an "appropriate" number of Reservists and the new Defense Officer Personnel Management Proposal (DOPMA) provides for "2 or more Reserve officers" as board members. ROA considers that these examples of Coast Guard's Title 14 legislation will illustrate the continuing attention to equality of opportunity provided as between Regular and Reserve members of this Service—a most desirable and enviable situation.

Mr. Chairman, ROA appreciates the opportunity both to applaud and to recommend for adoption the bill, H.R. 6666. Thank you.

Mr. BIAGGI. Comdr. John A. Kwekel, U.S. Coast Guard Reserve, and past national vice president of the Reserve Officers Association of the United States.

Commander, good morning.

STATEMENT OF COMDR. JOHN A. KWEKEL, U.S. COAST GUARD RESERVE, AND PAST NATIONAL VICE PRESIDENT, RESERVE OFFICERS ASSOCIATION OF THE UNITED STATES

Commander KWEKEL. Good morning, Mr. Chairman. I appreciate your allowing me the time to speak to you in support of H.R. 6666, and I assure you that I will be very brief.

I appear before you as an individual reservist who has closely followed the development of this bill over the past four, or more, years. I believe, however, that I can speak for the entire Coast Guard Reserve community. I say that because for several years, I have served in various elective offices, in each case unanimously supported by my fellow Coast Guard Reserve officers.

I was the first officer to be elected the chairman of the Coast Guard Affairs Committee of the Reserve Officers Association for two successive terms. Following that, I served for 2 years as the Coast Guard member of ROA's National Executive Committee, after which, while a lieutenant commander in the Reserve, I became the youngest person to have been elected ROA's National Vice President for Navy, Coast Guard and Marine Corps Affairs.

Since I have so often been chosen to represent my fellow officers, I am confident that my views are representative of those held by almost all of the Coast Guard Reserve community. Additionally, I have spoken with numerous Coast Guard Reserve officers of all ranks specifically regarding H.R. 6666.

It is our view that this bill will considerably facilitate efficient management of the Coast Guard Reserve. Further, it will contribute to an even greater degree of mobilization preparedness than we now enjoy by enhancing the augmentation training program, thereby increasing the readiness posture of the Coast Guard.

Reservists with whom I have spoken have no objection to any provision of this bill; on the contrary, they, without exception,

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enthusiastically support the bill and urge its passage. We sincerely hope that you will give it the same enthusiastic support that we do and that you will favorably report the bill.

Again, Mr. Chairman, thank you for allowing me these few moments. Should you have any questions, I shall do my best to answer them.

Mr. Biaggi. How would you increase the degree of mobilization?

Commander Kwekel. I think one way, Mr. Chairman, is through section 754, which will allow a broader degree of training and full participation when the reservists are on inactive duty training.

Mr. Biaggi. What is your comment in relation to limitation on travel? Have you heard Admiral Vaughn comment about the inability to attend the different schools?

Commander Kwekel. I am concerned about that, Mr. Chairman. Of course, Admiral Vaughn is much more up to date on that than I am, but this has been a concern in the Reserve community. There is some question as to whether a good number of people will be able to take their summer training this year because of an inability to get to their training sites.

Mr. Biaggi. Thank you very much, Commander. I thank you for your interest and your support.

That concludes the hearings on H.R. 6666 and, without objection, we will proceed to mark up the bill.

[The following was received for the record:]

Questions Submitted by Mr. Young and Answered by Rear Admiral Vaughn

Question. In view of the organization, law enforcement authority, and emergency augmentation provisions of this bill, what would you say is the purpose of the Coast Guard Reserve?

Answer. The Reserved Forces are an integral element of the Coast Guard's total force. Wartime mobilization readiness was the original mission of the Coast Guard Reserve; however, peacetime support of the active service has emerged as a second important mission. The latter emphasis grew out of a statement made in House Report No. 91–642 in which the Appropriations Committee stated their belief "* * * that a peacetime mission must be found for the Coast Guard Reserve * * * [which] * * * would provide tangible benefits to the taxpayers for their investment in the Coast Guard Reserve and improve the motivation and career enhancement of the individual reservists." Therefore, the mission of the Coast Guard Reserve Program has been redefined as follows: "to maintain a trained manpower pool to augment the regular Coast Guard forces in peacetime, in domestic emergencies, and in wartime." All program management efforts and training activities are directed toward enhancing the ability of Coast Guard Reserve forces to quickly and competently supplement regular Coast Guard forces in these instances.

Question. Is a member of a Voluntary Training Unit (VTU) considered to be in an active status?

Answer. Yes, and in most cases, he is a member of the Ready Reserve, participates in the Selected Reserve training program, and is a mobilization asset. A very small number of VTU members are in the Standby Reserve, Active status.

Question. Section 756 of the bill authorizes the enrollment of certain persons as temporary members of the Reserve. What is the purpose of the so-called Temporary Reserve and what powers and duties are contemplated? Would you provide a summary of rights, benefits, status, et cetera, of the Temporary Reserve?

Answer. The purpose of the Temporary Reserve is to provide a broad base of personnel who, by reason of their special training and experience are deemed qualified for such duties as the Commandant may prescribe. The service of temporary members of the Reserve is restricted as to type, locality, time, and extent of military discipline. The powers and duties of those personnel would be commensurate with the individual's demonstrated capabilities and the needs of the assignment.

The Temporary Reserve program was last utilized during World War II and I envision that this authority would only be utilized to any great extent during another such National Emergency. Attached is a fact sheet covering benefits of the Temporary Reserve.

INFORMATION CONCERNING THE STATUS OF INDIVIDUALS TEMPORARILY ENROLLED IN AND DISENROLLED FROM THE U.S. COAST GUARD RESERVE FOR FULL OR PART TIME DUTY WITH OR WITHOUT PAY

One. The Act of February 19, 1941, as amended by the Act of June 6, 1942, authorized the Commandant of the U.S. Coast Guard with the approval of the Secretary of the Treasury to enroll for active duty as temporary members of the Reserve, owners, officers, and members of the crew of any motor boat or yacht placed at the disposal of the Coast Guard and such men who, by reason of their special traininig and experience, were deemed by the Commandant to be qualified.

Two. Service of temporary members of the Coast Guard Reserve has been distinguished from that of the Regular Reserve by limitations upon the duty or the place in which the duty may be performed. Regular reservists on active duty occupy the same military status as members of the permanent Coast Guard establishment. They are, therefore, subject to any type of duty in any geographical area and are constantly subject to regular military disciplie. Consequently, they have privileges similar to those accorded by law to members of the regular service. The service of temporary members of the Reserve, however, is restricted as to type, locality, time, and extent of military discipline.

Three. Regular reservists who suffer disability or death in line of duty are by law entitled to the same benefits as regular members of the Coast Guard, whereas the Coast Guard Reserve Act specifies that when any temporary member of the Reserve is physically injured in line of duty or dies as a result of such physical injury, he or his beneficiary shall be entitled to the benefits prescribed by law for civil employees of the U.S. Temporary members of the Reserve who are physically injured or contract sickness or disease while performing active duty shall be entitled to the same hospital treatment afforded regular members of the Coast Guard (14 USC 760). Although the law relating to life insurance is not specific in its application to temporary members of the Reserve, the Administrator of Veterans' Affairs has held that the benefits of that act are not available to them. The administrator in issuing the ruling stated in part: "Service in the land and naval forces as referred to in the National Service Life Insurance Act means continuous service in such forces by persons ordered to active duty for a period not less than thirty days, and fairly construed would appear to exclude the members of any group whose status is or may be intermittently that of a civilian." (Letter from Administrator, VA, to Commandant, dated August 3, 1942.)

Four. In Administrator's Decision, Veterans' Administration, No. 699, dated May 20, 1946, it was noted that the words "active service" as used in section 601(c) of the National Service Life Insurance Act were previously defined by the Veterans' Administration as not including a temporary member of the Coast Guard Reserve, even though on active full time duty with pay. The Administrator in the aforementioned Decision, after review and consideration of the status of temporary members of the Coast Guard Reserve and various statutes pertainig to the Armed Services and veterans' benefits, held that temporary members of the Coast Guard Reserve are not within the purview of the laws governing the Veterans' Administration for pension, the National Service Life Insurance Act or medical or hospital service as beneficiaries of Veterans' Administration.

Five. Temporary members of the Reserve, except those performing full-time duty with military pay, were able to perform their duties while continuing in their regular civilian occupation and hence without impairment of their employment status. During the period of World War II, the Secretary of the Navy, recognized the special character of the service rendered by those temporary reservists enrolled for full time duty with military pay and ruled that they should be considered as Naval veterans. In the light of this ruling, the Civil Service Commission has ruled that the performance of "* * * active full-time duty with pay and allowances * * *" shall be the basis for granting Veteran preference. (Departmental Circular No. 508, dated November 4, 1944.) Similarly, eligibility to receive mustering-out payments under the so-called Mustering-Out Payment Act of 1944 (38 U.S.C. 691a, et seq.) has been determined on the same basis, that is only those temporary members of the Reserve who performed full-time active duty with naval pay and allowances were considered eligible. (Navy Department Mustering-Out Payments Regulations, Approved 6 January 1945.) It has also been ruled that only those temporary members of the Reserve who have served full time with military pay are eligible for the Coast Guard Honorable Discharge Button.

Six. Persons who during World War II enlisted in the Regular Coast Guard Reserve, were issued certificates of discharge upon the completion of their term of service. Temporary members of the Coast Gurad Reserve were "enrolled", rather than enlisted or appointed, and upon separation from the Reserve they became entitled to a certificate of "Disenrollment," thus following the terminology of the basic Act which provided for enrollment. The character of either certificate is dependent upon type of service rendered as shown by the man's entire record. Regardless of the name the certificate takes—whether a certificate of discharge or a certificate of disenrollment—the conditions governing the character of both remain fundamentally the same; that is to say, those who performed honorable service whether enrolled as a temporary member or enlisted as a regular reservist were separated under honorable conditions upon the completion of their terms of service. Likewise, if service of either was such that separation was under conditions other then honorable, the face of either certificate would so indicate. It might also be pointed out that where a temporary member of the Coast Guard Reserve performed active duty with military pay and allowances, the certificate of disenrollment would so indicate. In accordance with 14 USC 763, "In recognition of the service of temporary members of the Reserve during World War II, the Secretary may upon request issue an appropriate certificate of honorable service in lieu of a certificate of disenrollment issued to any person following disenrollment under honorable conditions from service as a temporary member during the period from December 7, 1941, to July 1, 1946, both dates inclusive. Issuance of a certificate of honorable service to any person under this section does not entitle him to any rights, privileges, or benefits under any law of the United States."

Seven. In recognition of the limitations on the service to which temporary members of the Reserve are liable, section 206 of the Coast Guard Auxiliary and Reserve Act of 1941, reenacted in 14 U.S. Code, 757, provides: "Members of the Reserve, other than temporary members, shall be exempt from registering and liability for military training and service under another law, and no member of the Reserve, other than temporary members shall be a member of any other naval or military organization. * * *"

Eight. The United States Supreme Court, moreover, in the case of *Mitchell* v. *Cohen,* 333 U.S. 411, held that part time service with the volunteer Port Security Force (a category consisting of temporary members of the Coast Guard Reserve) does not entitle one to veterans' preference in Federal employment under the Veterans' Preference Act of 1944. In this case, the Supreme Court stated: "In the light of the very clear purpose which Congress had in mind in adopting the Veterans' Preference Act, we are constrained to define the term 'ex-servicemen', for the purposes of this particular statute, as relating only to those who performed military service on full-time active duty with military pay and allowances, thereby dislocating the fabric of their normal economic and social life. It thus becomes obvious that respondents' service with the Volunteer Port Security Force of the Coast Guard Reserve cannot qualify them as 'ex-servicemen' entitled to veterans' preference under this enactment. They continued their normal civilian employment with the War Department and the Navy Department during the war, employment which suffered as little as possible from their military service; they served on active duty for only relatively short periods each week and could be disenrolled at their own request; they received no military pay and very few allowances; they could not be transferred away from their homes without their consent. They were therefore, able to retain the essential elements of their civilian life. As to them, there was no problem of reemployment or rehabilitation caused by their military service. They are not among the 'ex-servicemen' whom Congress desired to assist by means of the Veterans' Preference Act."

Nine. The Supreme Court in the case of *Commissioner* v. *Connelly,* 338 U.S. 258, decided that a civilian Coast Guard employee enrolled as a temporary member of the Coast Guard Reserve but serving without pay and allowances other than compensation of his civilian position was not entitled to the $1500 tax exemption which section 22(b)(13)(a) of the Internal Revenue Code provided for "active service as a commissioned officer (or a commissioned warrant officer) in the military or naval forces of the United States." The Supreme Court in this case stated as follows:

"* * * We agree that he (respondent) had a military status for some purpose. But the question for tax purposes is whether he received his pay in that status. To come within Section 22(b)(13)(a), he must have received his compensation "for active service as a commissioned officer." We understand this to mean that if taxpayer received his pay as a commissioned officer, he would be entitled to the exclusion. It seems equally plain that if he received his pay as a civil service employee and served without military pay and allowances, he is not entitled to the claimed exclusion. As in the *Cohen* case, the emphasis of the statute is on a military and not on a civilian status.

"And it is clear that taxpayer received his compensation in a civilian status.* * *"

* * "Taxpayer's rank was for the purpose of getting the job done, and not for the purpose of receiving compensation."

Ten. The Comptroller General of the United Staters in decisions reported in 23 Comp. Gen. 164 and 29 Comp. Gen. 59, noting that the status of temporary members of the Coast Guard Reserve was essentially different from those of the regular Coast Guard Reserve, held that non-duty status of such temporary members is not equivalent to inactive service status of regular Coast Guard Reservists and that service by temporary members of the Coast Guard Reserve may not be considered as Federal Service in the status of commissioned officers, warrant officers, flight officers or enlisted persons for purposes of reserve retirement under Title III of the Act of June 29, 1948.

Eleven. Other known decided cases and decisions include the following: Petition of Delgade, 57 F. Supp. 460(1944). Opinion of the Solicitor, Veterans' Administration, dated 15 March 1946.

Question. Proposed subchapter B regarding commissioned officers does not by definition include commissioned warrant officers. Generally, could you state how these officers are appointed, assigned a date of rank and precedence, promoted and examined for retention?

Answer. Title 10 U.S. Code, Section 597 and 598 authorize, for all services, the appointment, grades and promotion of Warrant Officers. For Coast Guard, 33 CFR, Section 8.3201 directs that, "* * * The regulations now existing or hereafter promulgated relating to the promotion, failure of selection for promotion, date of appointment and procedures for effecting appointments, and the effect of removal from a promotion list of chief warrant and warrant officers of the Regular Coast Guard shall apply to chief warrant and warrant officers of the Coast Guard Reserve except as may be necessary to adopt such provisions to the Coast Guard Reserve."

Examinations for warrant specialties are conducted as necessary, based on predicted requirements for the Selected Reserve. Annual selection boards then complete the process of selection by evaluating candidate's records and recommendations. Procedures for effecting a selectee's appointment and establishing his or her date of rank and precedence are set forth in the Coast Guard Reserve Administrative Manual.

Removal from an active status is addressed in 33 CFR section 8.3202. Essentially a chief warrant officer or warrant officer can be removed from an active status for cause or for twice failing promotion. If for cause, the individual would be placed before the Permanent Reserve Screening Board to be considered for involuntary separation; if for twice failing promotion to the next higher grade the individual would be transferred to the Retired Reserve, transferred to the Standby Reserve (Inactive Status) List, discharged, or, if desired by the individual and approved by the commandant, reenlisted to the enlisted grade held immediately prior to warrant appointment.

Question. How many commissioned warrant officers are there in the Reserve, and how is the authorized number, if any, determined?

Answer. As of 31 March, 1980, there were 295 warrant officers in an active status with the Coast Guard Reserve. The number determined within the Coast Guard as being necessary to meet all mobilization requirements is currently 386.

Question. What exactly is contemplated in section 782 as the minimum training to be prescribed by the Secretary for a reserve officer to be eligible for promotion? Will it be retirement point oriented?

Answer. Minimum training is a more all inclusive term and provides for better definition of eligibility criteria in the future. While points, which are in fact retirement points, would continue as a standard we would retain some flexibility in determining the quality of training to be attained. The intent of this section is to promote a training program that is related to the Reserve officer's mobilization assignment.

Question. What is the purpose of excluding nonperformers from consideration for promotion?

Answer. The purpose of requiring minimum training standards for promotion is to assure that we select only the best qualified officers from a pool of officers who are fully qualified for promotion.

Question. I understand that as a Reserve officer advances from one grade to the next, his chances for promotion dramatically diminish resulting in the real possibility of separation for twice failing selection before qualifying for retirement. Thus, under certain circumstances there may be a benefit to missing a promotion board if satisfactory service for retirement could be achieved. As section 782 of the bill is drafted, is it possible for the Secretary to set minimum training requirements so that a Reserve officer could still attain a satisfactory year for retirement purposes, but not meet the minimum training requirements and thus not be eligible for promotion?

Answer. While it may be technically possible, it would not serve the best interests of the Coast Guard. Therefore we plan to administer the program in such a manner that this type of abuse will not occur.

Question. Is some administrative action or other alternative available for removing a Reserve officer from an active status other than a retention board or for twice failing of selection for promotion? If so, are these actions taken prior to the time when a nonperforming Reserve officer would be considered for promotion?

Answer. Section 8.4402.B(3) of 33 CFR provides for transfer to the Standby Reserve, Inactive Status, of any Reserve officer who fails to conform to standards and qualifications presribed by the Commandant for retention in an active status. This action would be taken as necessary, either before or after consideration for promotion.

Question. What is the purpose of the physical qualifications for promotion in section 784 and how would this provision be implemented?

Answer. Retention of the words "physically qualified" provides Reserve Program managers the leverage to deal with officers who, for whatever reason, have not complied with physical requirements stated in the CG Medical Manual (CG-294). The selectee whose record reflects a current physical is determined to be physically qualified for promotion. For the selectee who has allowed his physical to lapse, this requirement is viewed as an inducement to have a physical so as to verify his physical condition. No additional cost is incurred by this constraint because there is no increase in the number of physical examinations beyond those previously anticipated.

Question. What other authority or means do you have to determine the physical fitness of a Reserve officer for performing the officer's duties or for mobilization and what would be the consequence of being found not qualified?

Answer. Coast Guard reservists have a regulatory annual requirement to submit a certification of physical condition. Those members of the Ready Reserve who cannot certify themselves as physically fit for active duty will be scheduled for a physical examination.

Those found temporarily not physically qualified for active duty are transferred to the standby reserve (active status); those found permanently disqualified for active duty will be transferred to the Retired Reserve, Standby Reserve (Inactive Status) or discharged, as appropriate.

Question. In section 784, what is contemplated by the character of service verification requirement for promotion—for example, is anything contemplated beyond what is in section 271(E) of title 14 which authorizes delay of an active duty promotion when the officer is the subject of a board of investigation or court-martial? In other words, is any authority other than what is otherwise authorized by law contemplated or is this merely a mechanism to delay the promotion of a Reserve officer until discrepancies are disposed of or resolved? Who or what body would make the verification?

Answer. This section is intended to cover the same type of situation as would be covered by section 271(E).

Verification of character of service is not a finite one-time record check, but an on-going process covering a period between selection for promotion and actual promotion. Since the records of an officer available at Coast Guard Headquarters are complete only up to date of the latest fitness report there may be as much as six months' lapse of time between the date of the latest fitness report and the time an appointment letter is issued. A second lapse of time occurs between acceptance of appointment and presentation of promotion. During this time, it is the responsibility of each officer in the chain of command to withhold promotion if, in his or her knowledge, the selectee has disqualified himself in the elapsed interval. Disqualification is deemed to be any circumstance which casts serious doubt on the moral or professional qualifications of the officer concerned. As withholding promotion is most serious, such a case is referred by the Commandant to a board of officers to recommend whether or not removal of the selectee's name from the promotion list shall be recommended to the President.

Question. What other authority or means do you have to verify or evaluate the character of service of a Reserve officer and what would be the consequence of a finding of unsatisfactory?

Answer. Any information alleging the misconduct or unfitness of a member of the Reserve is forwarded via the chain of command to the Commandant promptly with appropriate comments and recommendations. The Commandant will make the determination whether a reservist is to be considered for discharge. If an affirmative determination is made he will refer the case to a Permanent Reserve Screening

Board convened under 10 USC 1163. The board will make the recommendations as to whether the individual under consideration shall be discharged or not.

Question. In summary, do you need the authority provided in the promotion sections 782 and 784 to transfer a nonperformer to inactive status, order an officer to obtain a physical examination, or conduct a character of service review?

Answer. We feel that this authority would greatly enhance management of the Coast Guard Reserve program.

Question. Under section 787, is there any possibility that a Reserve officer who is reverted to a lower grade through no fault of his own may be passed by another Reserve officer of lower precedence prior to the temporary promotion?

Answer. No. The only way an officer loses precedence is by being passed over by a promotion board or by action of a military court.

Question. Under section 795, does this secretarial discretion in authorizing a higher grade have any adverse or controverting effect of the ordinary selection board process contained in sections 778 through 786?

Answer. No. This section ensures equitable treatment when a Reservist is mobilized.

Question. If section 777 is strictly interpreted, only law specialist appointees or holders of a Ph D in medicine or a related science are entitled to constructive service. Is it your intention to equate an MD to a Ph D as appears to have been your intention with a LLB or JD?

Answer. Yes.

Question. In section 784, it appears that the former section 780 requirements of "physical qualifications" for promotion subsequent to selection board action have how been made the only criteria for selection. What assures that a selection board will consider mental, moral and professional qualifications that have been deleted as criteria from the new section 784?

Answer. The fitness report process is an annual verification of an officer's mental, moral and professional qualifications. These reports are one of the primary vehicles used by a selection board to determine who should be selected for promotion under our best qualified system. The precept provided each selection board by the Commandant also provides guidance concerning those factors and criteria which should be used by the board in making its selections.

RESERVE OFFICERS ASSOCIATION
OF THE UNITED STATES,
Washington, D.C., July 1, 1980.

Hon. MARIO BIAGGI,
Chairman, Subcommittee on Coast Guard and Navigation, House Committee on Merchant Marine and Fisheries, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: I want to express my appreciation for the opportunity extended to me in behalf of the ROA to appear before the Subcommittee in support of H.R. 6666. While reiterating ROA support of H.R. 6666, I want to take this opportunity to clarify my position on a portion of my testimony so that there will be no misinterpretation of ROA's position with regard to Reserve training.

The ROA stands forthrightly for a strong Coast Guard Reserve which necessitates mobilization training and readiness that would provide for and permit the Coast Guard Reserve to summarily undertake its wartime or emergency mobilization requirements which are its basic responsibilities.

Serious natural or manmade disaster, accident, or catastrophe aside, as we all know, the Reserve components of our Armed Forces, including the Coast Guard Reserve, have been established and authorized by law as a contingency in the event of a war or national emergency and at such other times as the national security requires. In accordance with law, under such circumstances, the President may place the Coast Cuard as a special force under the command of the Navy. Having been given the special status of operating as part of the Navy in time of war or when the President directs, the training of Reserves becomes special and unique.

Mobilization training, preparedness and readiness of the Reserve is ever paramount, ever the ultimate goal. Augmentation has its merits in that it provides on the job training for the Reserve and personnel to compensate for the personnel shortages in the regular Coast Guard to meet its peacetime responsibilities. Augmentation, however, has its drawback in that it provides training in the peacetime missions of the Coast Guard, not taking into consideration the uniqueness other missions assigned to the Coast Guard and Reserve.

Therefore, Mr. Chairman, while ROA supports the objectives of H.R. 6666, there is considerable reservation with regard to the Coast Guard Reserve training where this training is obtained mainly through augmentation of peacetime Coast Guard activities. When testifying before the Armed Services Committee for increasing the strength of the Coast Guard Reserve to 15,000 Selected Reserves, it was in recognition of mobilization and not peacetime Coast Guard shortfalls.

I want to thank you and the Committee for permitting me to extend further views with regard to the United States Coast Guard and its Reserve. I would be grateful if this statement was made part of the permanent record of the hearings on H.R. 6666.

With assurances of esteem and regard, I am,

Sincerely,

J. Milnor Roberts,
Major General, AUS, Ret.,
Executive Director, Reserve Officers Association.

[Whereupon, at 9:47 a.m., the hearing was concluded.]

COAST GUARD OMNIBUS OVERSIGHT HEARING

WEDNESDAY, JULY 30, 1980

House of Representatives,
Subcommittee on Coast Guard and Navigation,
Committee on Merchant Marine and Fisheries,
Washington, D.C.

The subcommittee met, pursuant to notice, at 9:35 a.m., in room 1334, Longworth House Office Building, Hon. Mario Biaggi (chairman of the subcommittee) presiding.

Present: Representatives Biaggi, de la Garza, Oberstar, Young, Snyder, Evans of Delaware, and Livingston.

Also present: Representative Roth.

Staff present: Ricardo A. Ratti, Rudolph Cassani, Cynthia W. Wilkinson, Sidney A. Wallace, Duncan C. Smith III, John M. Bruce, and Stanley E. Sennar.

Mr. Biaggi. The meeting is called to order.

The Subcommittee on Coast Guard and Navigation is meeting today to hold an oversight hearing on the Coast Guard. Today's hearing arose out of the concern of several members over various aspects of the Coast Guard's operations. This hearing will be an opportunity for them to question Coast Guard officials and to present their views on the subjects that interest them.

The hearing is also an opportunity for the Coast Guard to inform the subcommittee about current problems facing the service and to bring us up to date on matters of mutual concern.

We have listed the following subjects as being of interest to the subcommittee:

The recent GAO report on the Coast Guard's aids to navigation programs in Louisiana;

Regulation of asbestos hazards on merchant vessels;

Coast Guard operations during the exodus of Cuban refugees;

Icebreaking policies on the Great Lakes;

Progress of the procurement of the medium-range surveillance aircraft and the short-range recovery helicopter;

The Tampa Bay Bridge accident, the status of pilots, and the Coast Guard's responsibility regarding them; and

Offshore vessel traffic monitoring and surveillance.

Members, of course, are free to question Coast Guard officials on other subjects also.

Our first witness today is the Commandant of the Coast Guard, Adm. John B. Hayes.

Good morning and welcome.

STATEMENT OF ADM. JOHN B. HAYES, COMMANDANT, U.S. COAST GUARD, DEPARTMENT OF TRANSPORTATION, ACCOMPANIED BY VICE ADM. ROBERT H. SCARBOROUGH, VICE COMMANDANT; REAR ADM. J. P. STEWART, CHIEF OF STAFF; REAR ADM. HENRY H. BELL, CHIEF, OFFICE OF MERCHANT MARINE SAFETY; AND CAPT. ROBERT E. LARSON, CHIEF, PROGRAMS DIVISION

Admiral HAYES. Thank you, Mr. Chairman.

Would you like me to make my opening statement at this time?

Mr. BIAGGI. Yes.

Admiral HAYES. Mr. Chairman, members of the Subcommittee on Coast Guard and Navigation, it is my pleasure to appear before you today to testify on a number of important issues. I would like, Mr. Chairman, to give a brief statement on each topic, which you have already identified, and then will be prepared to answer any questions that you might have.

I have with me today Vice Admiral Scarborough, the Vice Commandant; Rear Admiral Stewart, my Chief of Staff; Rear Admiral Bell, Chief, Office of Merchant Marine Safety; and Captain Larson, Chief, Programs Division.

The first subject is the recently completed General Accounting Office report on the Coast Guard's aids to navigation program in Louisiana. As a general comment, I think it is fair to say that GAO felt there was room for improvement. I concur in this observation and have taken steps that will improve both our performance in and our management of this increasingly complex mission area. As you may know, I have recently established the Office of Navigation in recognition of our need to provide increased management attention. Rear Adm. Dick Bauman, my first Chief of the Office of Navigation, recently visited the 8th District Office in New Orleans—our largest district in terms of aids to navigation—and discussed the GAO report with the District Commander.

In response to the GAO report, the following activities are being pursued:

A comprehensive review of existing guidance for the establishment, review and modification of aid systems is in progress.

Research efforts have been underway for sometime to expand our knowledge of the role various configurations of aids play in the navigation process. This project should be concluded in 1983. I expect to publish new guidance for the evaluation of aid systems within the following year.

We will attempt to place the evaluation process on a quantitative basis and alter our procedures to assure that the views of the users are incorporated wherever possible.

With respect to discrepancy response, the 8th District Commander has taken steps to strengthen management control in his area. We will review headquarters' guidance for responding to discrepancies with the objective of simplifying the decision process and assuring proper weight is given to the importance of the affected aid in the safety of navigation.

We intend, in the near future, to perform a comprehensive study of the optimal location of our buoy tenders. The recent tragic loss of the *Blackthorn* last January has complicated this effort. To replace *Blackthorn* capability—some 50 percent of the oceangoing buoy tending capability of the 8th District—a number of alternatives have been considered. Conversion of the former tender *Clover* appears to be the best available alternative. *Clover* is now serving as a medium endurance cutter homeported in Eureka, Calif., and will be assigned to Galveston, Tex. We are exploring with the Navy the possibility of obtaining an excess naval vessel to replace *Clover*.

The second subject raised is a very complex and difficult issue—the regulation of asbestos hazards on merchant vessels. Basically three actions have been taken.

Navigation Vessel Inspection Circular 5-80 was published to provide for rapid response by the marine industry on a voluntary basis in controlling potentially hazardous exposure situations when working with asbestos lagging, insulation and other such materials during repair operations.

Second, we have been working closely with EPA and MarAd, representatives in assessing the risks associated with the use, repair, and replacement of asbestos on board vessels. EPA and MarAd, incidentally, now use Circular 5-80 as a guide in their own programs.

Finally, we expect during 1980 to issue a notice of proposed rulemaking concerning asbestos protective measures, clothing, and work practices. Both the marine industry and representatives of labor are participating in the development of these proposals.

While much remains to be done to assess and control the threat of asbestos as a health hazard, I am confident we are on the right track.

The third topic of interest concerns our operations during the exodus of Cuban refugees. Coast Guard involvement began in early April with the advent of a Cuban-American flotilla reportedly organized to protest the takeover of the Peruvian Embassy in Havana. Our initial involvement was generally limited to monitoring the situation with concurrent attempts to discourage such activity due to the potential dangers to U.S. citizens.

The second phase began with the arrival of the first refugee vessels. Our role became a humanitarian one to provide search and rescue assistance to the myriad of vessels making the frequently treacherous passage. In the following weeks, an additional 12 cutters, 15 small boats, 11 aircraft and 1,500 personnel were deployed to supplement the resources of Commander, 7th Coast Guard District. Navy vessels and aircraft were also used to assist in what overnight became a major endeavor. By early July we had assisted 1,292 vessels with 57 vessels reported as sunk or capsized. Twenty-five fatalities had been confirmed.

We entered the third and current phase on May 14 with the President's announcement concerning refugees. Our role changed to one primarily of law enforcement with emphasis on turning back vessels intending to travel to Mariel, Cuba. Our augmentation forces have been stabilized for that purpose with 11 cutters, 4 small boats, 6 helicopters and 5 fixed wing aircraft. We estimate that between 80 and 90 percent of those vessels attempting to reach Mariel have been stopped.

While again demonstrating the ability of the Coast Guard to react timely to an urgent situation, it has not been without cost—both short and long term. Many of our cutters have far exceeded programed underway time, which has resulted in lost opportunities for maintenance and training as well as extended separations of our people from their families. The long-term impact can only be estimated, but if our experience in Vietnam is a good indicator, the cost will indeed be high. It has been necessary, too, to exceed programmed hours on our aircraft, including HU-16E fixed wing aircraft. We may well be borrowing from the future as these aircraft, due to structural factors, must be retired at 11,000 hours. Some or most may well reach that amount of flight time before the replacement HU-25A is available for service.

While I am justifiably proud of our reaction to this situation, I am concerned about the long-term effects and the very real deterioration that has occurred in other missions. Fisheries patrols, for example, have been reduced by approximately 50 percent on the East Coast, and a 22 percent reduction in boardings as compared to 1979 has occurred. Drug enforcement patrols have also been temporarily reduced.

Our Cuban refugee operations continue today and are projected to continue on an as-needed basis. While we have received supplemental funding to sustain this operation, we estimate that additional funds will be needed in 1981 to catch up on the maintenance which has been deferred because of the increased tempo of operations.

The next subject concerns Coast Guard icebreaking policies on the Great Lakes. I see a classic conflict in developing an acceptable policy in this matter and have actively sought industry assistance in its resolution. The Coast Guard is clearly charged with meeting the reasonable demands of commerce. On the other hand, the Coast Guard should not normally compete with private enterprise. With increasing commercial capabilities to provide icebreaking services on the Great Lakes—and in other areas as well—we have a real dilemma on our hands. As early as 1970, Commander, 9th Coast Guard District, published a policy of noninterference with private industry if such a capability existed. With our more powerful 140-foot WTGB's now in service on the Lakes, the issue is again being raised. As I am sure you are aware, there is a very fine line between meeting the needs of commerce and not interfering with private enterprise. We will endeavor to better define that line through discussions with all interested parties.

The next subject concerns two pending procurements—the HU-25A medium range search aircraft and the HH-65A short range recovery helicopter. The HU-25A has encountered many production problems, most notably with its jet engine certification. Delivery of the first of 41 aircraft is now scheduled for February 1981—some 19 months behind schedule. While engine certification is not yet complete, it is expected in August. The contract delivery schedule will be renegotiated with Falcon Jet Co. after the resolution of the engine problem.

The short-range recovery helicopter remains on schedule with delivery of the first of 90 aircraft expected in January 1982. The twin turbine helicopter is being procured from Aerospatiale Helicopter Corp. with fabrication being performed at their Grand Prairie, Tex., facility. A protest filed by Bell Helicopter has been resolved in favor of the Government.

The next subject for consideration is the tragic collision on May 9, 1980, of the motor vessel *Summit Venture*, a 608-foot ore and drybulk carrier, with the Sunshine Skyway Bridge at the entrance to Tampa Bay. The vessel, which was inbound with no cargo aboard, encountered heavy rain squalls and struck the support structure resulting in collapse of some 1,200 feet of the southbound bridge span. Several vehicles, including a Greyhound Bus with 23 persons aboard, entered the water. Thirty-five persons are known dead. A Marine Board of Investigation was convened on May 13, 1980, to investigate the casualty. The Board has completed the taking of testimony, but the final report has not yet been completed.

The M/V *Summit Venture*, a Liberian registered vessel, had embarked a Florida State pilot. While the Coast Guard can take certain actions, including the suspension or revocation of Coast Guard issued licenses, State pilots are regulated by the respective States. Under the circumstances encountered above, the pilot was operating under the authority of his State license. I feel constrained from discussing this matter in much greater detail until receipt and action on the Marine Board's report is completed.

The final subject listed in your letter relates to offshore vessel traffic monitoring and surveillance. As you know, this study effort is required by section 3 of the Port and Tanker Safety Act of 1978, and is being conducted at the Transportation System Center. We are working with representatives of NMFS, MarAd, Navy, DEA, and Customs, as well as the American Institute of Aeronautics and Astronautics. We expect to deliver our findings, including capabilities, limitations, and cost effectiveness of the systems examined, to the Congress by October 17, 1980.

Another problem area not mentioned in your letter concerns the evaluation of foreign tank vessel personnel training and qualification programs. Interim regulations promulgated in April 1980 contained procedures for foreign authorities submitting personnel licensing and certificating programs. The problems are:

(a) Many countries have responded with copies of laws and regulations in foreign text.

(b) Many countries have not responded.

(c) Some countries have provided English language texts of training and qualification standards.

Receipt of English language texts is obviously not a problem per se; but with the wide variety of input we are receiving, it is exceedingly difficult to evaluate and rate all foreign flag operations on an equal basis. This could result in considerable potential for dissatisfaction in the international community.

Although we have not developed solutions for these problems, we will continue to work on alternatives to resolve them.

Mr. Chairman, I have addressed a number of issues of concern to your committee and to me. In closing, I must raise two side issues that impact severely on our ability to perform our missions—the unacceptable situation we see in both retention of our military personnel and our ability to provide essential training in an increasingly complex environment.

While early indicators reflect a stabilization of reenlistment rates, both for initial and subsequent tours, both rates are too low.

Only one of six eligible to reenlist after their first term are electing to remain in the service. Second and subsequent term reenlistment rates approximate 70 percent—down from 90 percent in the early seventies. For example, we must recruit 10 people to have 1 on duty after 6 years. More than 60 percent of our people have less than 4 years service, and today one-third have less than 2 years experience. The impact is being felt throughout the service and will continue to impact on our ability to properly perform our missions. There is no simple solution to this problem but certainly the congressional efforts, as reflected in Nunn-Warner and the President's support for a series of improvements in military compensation are steps in the right direction. While compensation is not the cureall, it is the most visible and readily available solution. Our personnel do face many problems not encountered by our DOD counterparts. Frequently, for example, Coast Guard personnel are located at small units where commissaries, exchanges, medical and recreational facilities are simply not available. I have instituted many initiatives, such as providing more stability through increased tour lengths and the provision of adequate quarters. I do not have the full answer but am actively pursuing this issue with Secretary Goldschmidt.

Related to the retention problem is training. We simply are unable to meet even our mission essential training needs. High rates of turnover complicate the problem, of course. The high cost of transportation and substantially decreased availability of DOD quarters at training facilities are equally serious problems. Air fares have grown at rates far exceeding the general rate of inflation. Providing commercial quarters, as compared to the two dollar a day rate previously required at DOD facilities, is a very expensive proposition. During 1980, this situation has been exacerbated by the travel ceiling. Rising costs, when coupled with a reduced ceiling allocation, can only result in a reduced level of training, a reduction which we can ill afford.

Our request for fiscal year 1982 will reflect these needs but, of course, this unforeseen funding problem is with us today.

I simply alert you to these problem areas as they impact on the Coast Guard and ask for your support in this resolution.

This concludes my prepared statement, Mr. Chairman. I would be pleased to address any specific questions at this time.

Mr. BIAGGI. Thank you very much, Admiral.

With reference to the report on the Tampa Bridge accident; when do you anticipate that it will be completed?

Admiral HAYES. We should have it in headquarters, Mr. Chairman, within 2 weeks. Then it must be reviewed by my staff, my action on that report prepared and, of course, once published and my determinations made, it will be made available for general distribution.

Mr. BIAGGI. Your closing remarks made reference to personnel problems.

Is it correct that you are not having difficulty with current recruitment?

Admiral HAYES. That is correct, Mr. Chairman. We are not having difficulty in meeting our recruiting requirements, with one specific exception, and that is we are not, at the presant time, meeting our minority goals. But, otherwise, as far as numbers are concerned, we are able to fully meet our recruiting requirements. Indeed, the waiting list at the present time is such that it is capable of supporting our needs for the next several months.

Our problem is not so much in recruiting as it is in retention.

Mr. BIAGGI. With reference to the travel comments you made in your statement and restriction on funds, can you bring us up to date on the present situation?

Admiral HAYES. I am sorry, sir?

Mr. BIAGGI. Can you bring us up to date on travel restrictions and funding?

Admiral HAYES. First, let me comment generally, Mr. Chairman. I suppose of the various requirements that have been placed upon us by the Congress in recent years, that has been of the most vexing, coming at a time when the tempo of operations has been greater than at any time in our history perhaps since World War II. We are faced with a requirement to reduce travel below our minimal needs simply to train our people to do their job.

I have had to close schools temporarily until the new fiscal year begins. I have been unable to transport things that are required in order to operate the Coast Guard efficiently. And I have had to reduce substantially travel that really is associated with operations. For example, our inspectors, who are required to perform certain mission related functions in the commercial vessel safety program, have been unable to travel simply because of our requirement to live within this travel ceiling. So I would urge this Committee and the Congress not to continue this particular course of action. It is a very difficult one to manage under.

I would just footnote what I just said, Mr. Chairman. I am not in any way being critical of the desirability of reducing administrative travel. The Coast Guard would be delighted to pursue that objective with the Congress and with the rest of the administration. It is where these ceilings have impinged upon our ability to perform our operations that I feel it is an unmanageable requirement.

Mr. BIAGGI. We recognize that. I think the authorization bill provided some additional funding. The ceiling that has been imposed is difficult.

You made reference to the military package of Nunn-Warner. If that bill is enacted, how will it affect the Coast Guard?

Admiral HAYES. First of all, Mr. Chairman, it would be welcomed by our personnel as an indication of renewed interest on the part of the Congress to support some of the concerns of our military personnel, and I certainly welcome that step.

With respect to the fiscal implications, the current estimates are that it would have about a $20.6 million impact in fiscal year 1981.

Mr. BIAGGI. Does the Coast Guard have that money?

Admiral HAYES. We do not have that money within our current appropriations, no, sir.

Mr. BIAGGI. You made reference to navigation aids. The cost the administration requested was $302.8 million. If I recollect correctly, our authorization provided an additional $8 million. What Appropriations does with it remains to be seen.

But, assuming that we get that $8 million, would that be adequate to deal with your problems? $8 million more?

Admiral **Hayes**. Specifically in the aids to navigation function, that, together with the additional tender and support needed for the new project in the Red River, Mr. Chairman, I feel that we would be adequately funded. As I mentioned in my statement, we are placing greater management emphasis on this program with the establishment of the new Office of Navigation. And one of the specific reasons for that organizational step was my overall dissatisfaction in the way in which we were managing that program and the emphasis we were placing, particularly on our short-range aids to navigation.

Mr. **Biaggi**. I have a series of questions but we also have some members who desire to propose some questions and make some comments. Before we do that, I would like to ask you one question.

What effect has the diversion of the Coast Guard forces to the Cuban refugee problem had on the drug interdiction efforts in the 7th and 8th Districts?

Admiral **Hayes**. Certainly both districts are being impacted severely.

As I mentioned in my statement this morning, our best estimate is that we reduced our effectiveness with respect to drug interdiction in those areas by about 80 to 90 percent. With respect to fisheries efforts outside those districts, the impact has been severe because we have had to deploy vessels to the 7th District from other parts of the Coast Guard. Likewise, we have had to resort to calling up the Coast Guard Reserve involuntarily and have had very substantial increased demands placed upon our Coast Guard auxiliary.

One thing I would point out to the chairman and this committee is that this operation has demonstrated the validity of the way in which we have organized our Coast Guard auxiliary and Coast Guard Reserve pretty well into Coast Guard peacetime mission activity. Each of those two organizations has performed superbly with respect to this operation.

Finally, I would say that one of the hidden effects that we are going to find occurring in the future is the impact this will have upon the capability that our vessels will have to continue to operate at this kind of level of activity because while this is going on, of course, we are not adequately performing maintenance, and we are also not adequately training our people. So those are future impacts that certainly must be considered.

Mr. **Biaggi**. Would it be fair to say that as a result of that Cuban refugee operation, that most, if not all, of the missions have been reduced?

Admiral **Hayes**. Oh, yes, sir. Without any question at all. I think it demonstrated very clearly a point that this committee knows that I have made several times in the past, and that is that we certainly have inadequate resources to respond to the requirements that the law lays on us with respect to the missions that we have to perform.

Mr. **Biaggi**. I do not know if you have an answer to this question because it would be difficult to ascertain, I guess. But, I am going to pose it to you anyway.

Do you have any idea just what has happened to the traffic, the drug traffic there? Do you have any knowledge that it has increased; that the traffic has taken advantage of the current situation?

Admiral HAYES. I suppose I am not able to answer that in any specific terms, Mr. Chairman. But I can point out to you some interesting differences that suggest certainly they would be fools if they were not taking advantage of this situation.

During the same period of time that this Cuban operation has been going on, we had 32 seizures in 1978 and 31 in 1979. In 1980 we had seven. In 1978 we seized some 870,000 pounds of marihuana during that same period of time. In 1979 we seized some 651,000 pounds of marihuana, and in 1980, in the same period, we have seized 127,000 pounds. So there is a very marked decrease in results during that period which suggests if the same level of activity is occurring, a great deal of marihuana principally in our area of responsibility is getting into this country.

Mr. BIAGGI. On the positive side it suggests the effectiveness of the drug interdiction program.

Admiral HAYES. Yes.

Mr. BIAGGI. I would like to take this opportunity, and I do not know if it has happened too often, but I would like to take this opportunity to congratulate you and the members of the Coast Guard for the almost heroic efforts they have made in that Cuban refugee operation. We know of the endless hours, days, and weeks in which they functioned, which taxes their energy and their entire being. Happily, you were able to integrate effectively, as you suggested, the Reserves and the auxiliary so that you had a well integrated unit discharged in an efficient manner for the mission in which you are charged with.

Admiral HAYES. Thank you very much, Mr. Chairman.

It might interest you to know that our Secretary joined me in Florida last week and made some awards in connection with that operation, and he, too, is very proud of the job our people have done.

Mr. BIAGGI. It is something to be said for the administration. Mr. Snyder.

Mr. SNYDER. Just briefly, Mr. Chairman, in that same regard. You indicate in your statement that you had some additional funding for the Cuban operation?

Admiral HAYES. Yes, sir.

Mr. SNYDER. Was that funding equal to the amount that was expended for the operation?

Admiral HAYES. In my best judgment, it was. I feel that we were well supported by both the administration and the Congress with respect to the supplemental we received.

Mr. BIAGGI. So there was no drain on your other funds for that operation so far as you know?

Admiral HAYES. Initially, of course, there was, but we have now, in effect, been reimbursed for that.

Mr. SNYDER. You just commented, and I think that I wrote it down correctly, that you have inadequate resources to perform the missions that the law has laid on you.

You are not talking about the Cuban refugee problem in that context?

Admiral HAYES. Not in that context, no. I am speaking specifically of some 10 to 12 major pieces of legislation that have occurred in the last decade, combined with the increased tempo of activity in missions that title 14 of the United States Code has already required us to do for a number of years.

Mr. SNYDER. In regard to the cutback in travel, you indicated that this was causing a problem in moving the various inspectors around that make inspections that you are required to make.

What do those inspectors do when you are not moving them around?

Admiral HAYES. I expect probably they do the same thing most people do at their desk, that is try to keep up with the constant flow of paper. We have them involved in other activities such as helping develop some of the regulatory actions that we are regularly required to do under existing law.

One of the major new programs that the Coast Guard has become involved in, and we have not yet built up to, is the Outer Continental Shelf Lands Act Amendments and, of course, they have been assisting us in some of the requirements for that as well.

Mr. SNYDER. You mean you have got them sitting around drawing up some more regulations?

Admiral HAYES. Well, I do not know whether that is an accurate statement of what they are doing, no.

Mr. SNYDER. I do not want to make bureaucrats out of them any more than they already are.

Admiral HAYES. I was going to say they are already well versed and well steeped in that particular capability.

Mr. SNYDER. A friend of mine said last night that the bureaucrats' main problem is not what they cost; it is kind of like the cockroach in the kitchen, it is not what they eat, it is what they mess up.

I hope that you have not got them messing up anything else.

Thank you, Mr. Chairman.

Mr. BIAGGI. Mr. de la Garza.

Mr. DE LA GARZA. No questions.

Mr. BIAGGI. Mr. Roth.

Mr. ROTH. Mr. Chairman, I want to thank you and the committee for conducting these hearings this morning. I have only one question and that is the admiral, on page 6, when he was talking about the Great Lakes, mentioned that with increased commercial capabilities that you provide icebreaking services on the Great Lakes.

And I was wondering if you could elaborate a little bit or be more specific on that?

Admiral HAYES. I am not sure I have any specifics with me this morning, but I have been told by our district commander that that is the case, and I can get that for the record if you would like.

[Information provided by discussion that followed.]

Mr. ROTH. Thank you. Thank you, Mr. Chairman.

Admiral HAYES. My vice commandant says he knows the answer.

Admiral SCARBOROUGH. There is one specific thing I am aware of and that is in the Port of Green Bay and adjacent Escanaba, the *Selvick*—I forget the name of the company. *John Selvick* is the name of an old tug which about 3 or 4 years ago, a company had reengined specifically for the purpose of providing tug/icebreaking or tug services in the ice up in those ports and that general area. This, I believe, was probably in anticipation of expected increased taconite movements into those ports at that particular time. This did occur at that time, but as you are now aware, the taconite shipments on the lake have diminished considerably. But that was one specific case of private enterprise going for and doing this sort of work on the Great Lakes.

He did at that time signal his intentions to the shipping community in general and to the Coast Guard that he was there and available. And as I recall in the winter of 1977–78, did indeed do a great deal of icebreaking and I believe, negotiated some contracts with the shipping companies.

To my knowledge, for many years before that, Great Lakes Towing had been doing icebreaking near the piers, especially in the Port of Duluth. My direct information is a little bit old, but that I believe was probably what precipitated that particular remark in the Commandant's statement.

Mr. ROTH. I think it would be interesting for us to find out how this equipment would equate with the equipment that the Coast Guard has.

Admiral SCARBOROUGH. It is obviously not as good. However, I believe the old tug *Selvick* at that time was reengined to something in the order of 1,400 to 1,600 horsepower, which made it pretty comparable to most of the smaller icebreaking vessels that we had in use on the Great Lakes at the time. That is to say, the 110-foot tugs and the buoy tenders. Obviously it is not comparable to the new 2,500-horsepower, 140-foot tugs that we have. But it was, I believe, in general adequate to do much of the maintenance breaking and the direct assistance to ships moving in the port.

I think it is also fair to say, however, that at that time we had broken out the main channels going in up there and, in general, it is the Coast Guard's policy to continue to do that. There has been one change, as you are aware, in the Green Bay area. The district commander up there reminded me of a circumstance that perhaps precipitated some of the confusion this particular year. And in retrospect, if all the facts had fallen in place, if we had known in advance that things would transpire exactly as they did, perhaps we would have provided more assistance earlier.

In previous years, it has been necessary if, for no other reason, to go out and break out the bay to service the lighthouse that we had there, which was manned. But that lighthouse is now unmanned, and there is no reason for the Coast Guard to go in there regularly to service that light.

Based on what the District Commander told me a couple of days ago as to what the problems from his perception had been in Green Bay this year, the situation probably did stem from the fact that the Coast Guard had not broken out the main channel; shipping generally had been reduced to a couple of Huron Cement vessels coming out and somehow or another there was either a breakdown of timing or communication.

From the instance as I know it, as he described it to me, and as I have seen it described otherwise, I do not really see anything that affects policy there or that was contrary to policy. Obviously when you interpret any particular policy, and there has to be a lot of latitude because the line between icebreaking and tugs is a hazy one, a line between enterprise and undue delay to commerce is a hazy one, and like other decisions, have to be made by the man at the scene at the time because, obviously, we do not have enough resources to be at all places all the time for all purposes.

In my very brief review of this particular case, I believe there was some confusion this year in the Port of Green Bay that, in my judgment is not directly attributable to any policy but perhaps to the particular circumstances that existed at the time.

Mr. **Roth**. Thank you, Mr. Chairman.

Mr. **Biaggi**. We will recess now.

[Short recess.]

Mr. **Biaggi**. The meeting is called to order.

Mr. Oberstar.

Mr. **Oberstar**. Thank you, Mr. Chairman, and thank you, admiral, for a very fine comprehensive review of the status of the Coast Guard's activities in a number of areas about which this committee has had some question.

My principal interest centers on the status of the design of the new icebreaker for the Great Lakes and I would like you to give us a report on the status of that project.

Admiral **Hayes**. I will indeed, sir. I suppose the best way of responding is: We are on target and expect to complete that design on time, as modified by my letter to the committees earlier, December 31 of this year.

We would have been in a position therefore to have gone out for bids and let that contract by this coming summer had that been one of the authorized projects for fiscal year 1981; that is one of the funded projects.

At the present time, of course, indications are that we will not have appropriations for that vessel in our fiscal year 1981 budget. I will just have to wait and see what happens. But we are ready to go, we will have the design as we advised to the committees by December 31 this year.

Mr. **Oberstar**. Will you be able to include construction in the 1982 fiscal budget?

Admiral **Hayes**. Well, should we not have appropriations in fiscal year 1981, it would be my intention to do so, yes, sir.

Mr. **Oberstar**. You are considerably farther behind than those of us on the lakes had anticipated.

Mr. **Biaggi**. Will you yield?

Mr. **Oberstar**. Yes; I will be happy to yield, Mr. Chairman.

Mr. **Biaggi**. In pursuit of that line of questioning, assuming that there are provisions in the 1982 budget for construction, when do you anticipate that the vessel will be ready for use?

Admiral **Hayes**. Well, the general answer, Mr. Chairman, is it will be ready at the time that the Congress had originally intended.

As I pointed out, because of the change in design that occurred, we felt that it could be constructed in a little less time than we had originally planned. So the final date of commissioning would have remained the same.

I would like to provide that for the record, but I think it would be about 1985 if we had the funds in 1982.

[The following was received for the record:]

The vessel should be ready for use four years after the award of a construction contract.

Mr. **Biaggi**. The reason I asked was that I recall at the outset of these discussions one of the strongest arguments offered for a Finnish icebreaker, which is under consideration at the time, is that we could obtain it very quickly.

If the gentleman from Minnesota would assist me on that, if my recollection is correct, it would be equivalent of purchasing a vessel off the shelf which would be almost immediately available.

Mr. **Oberstar**. That is correct, if the chairman would yield.

The Finnish ship construction yard sent commitment, telegram, which this committee has in the file and in our hearing record, for delivery of an icebreaker which would have been operational now, this year, had the Coast Guard moved.

Mr. **Biaggi**. If my memory still serves me, was the price at that time $55 million?

Mr. **Oberstar**. $55 million, that is correct. That was the firm price quoted by the shipyard.

Mr. **Biaggi**. Admiral, can you tell us what you estimate the vessel would cost?

Admiral **Hayes**. The contract cost, Mr. Chairman, is currently estimated at about $113 million.

Mr. **Biaggi**. $113 million?

Admiral **Hayes**. Yes, sir.

Mr. **Biaggi**. What features does this vessel have that are superior to the Finnish icebreaker?

Admiral **Hayes**. I have a complete chart of this, Mr. Chairman. Could I provide that for the record rather than try to give it to you off the top of my head. I do not have that data with me this morning.

Mr. **Biaggi**. Sure.

[The following was received for the record:]

COMPARISON CHART OF THE TWO ICEBREAKERS

Feature	DDI	URHO (closest Finnish "off the shelf")
Length	296 ft	343 ft. (Increased difficulty maneuvering in tight channels.)
Beam	64.8 ft	78 ft.[1] (75 ft. limit set by locks on Great Lakes.)
Draft	22.78 to 24.34	23.9 to 27 ft. (More restricted in maneuvering room, excluded from some channels.)
Height	117 ft.	139 ft. approximately. (Exceeds lakes limit of 117 ft.)
Flooding	2 compartment	1 compartment.[1] (Reduced ability to survive damage.)
Bow propellers	No	Yes.[1] (Unsuitable for Arctic, prevents ramming capability in heavy ice.)
Antiroll tanks	Yes	No.
Fuel endurance	50 days	21 days.[1] (Insufficient for Arctic missions.)
Stores endurance	120 days	21 days. (Insufficient for Arctic missions.)
Electrical system	60 Hz	50 Hz. (Not compatible with almost all U.S. electrical equipment.)
Equipment	U.S. manufacturer	Foreign manufacturer. (May lead to higher training and support costs.)
Outfit	In accordance with CG Standards.	Wood and wood products extensively used. (Not in accordance with CG fire protection standards.)

COMPARISON CHART OF THE TWO ICEBREAKERS—Continued

Feature	DDI	URHO (closest Finnish "off the shelf")
Manning	140 accommodations	66 accommodations. (Limits multimission utilization, reduced scientific and communications personnel.)
Air-conditioning	Yes	No.
Helicopter support facilities	Adequate	Inadequate.

[1] Correction of these deficiencies cannot be accomplished by modifications but requires complete redesign, i.e. custom design in lieu of "off the shelf".

It is noted that both Watsila's Turku and Helsinki shipyards are booked to capacity for the next 3 years.

Mr. BIAGGI. Given these two important considerations, how do we justify proceeding with an in-house design of an icebreaking vessel?

Admiral HAYES. Let me comment on that, Mr. Chairman.

I think there at least have been some misunderstandings perhaps concerning the Coast Guard and its design of ships. But before I go into that, I have said all along that I feel if it is the desire of the Congress that the Coast Guard be directed to procure foreign-built vessels; most certainly that capability lies in your procedures and your processing. We have proceeded on the basis that we should comply with the general policies. They have to do with the acquisition of ships and, to date, none of the Armed Forces of the United States, to my knowledge, have constructed nor procured any ships in foreign yards. I think it is a major policy question that is beyond the province of the Coast Guard specifically to decide itself.

Now, having said that, I have had the occasion since becoming Commandant, to review very carefully the question which Mr. Oberstar is raising, that is whether or not we ought to be in the design business.

From the 140-foot icebreaking tug which I just visited, Mr. Oberstar, the other day when I visited the Great Lakes, to the 270-foot cutter design that is now being constructed, I am convinced that the Coast Guard designs and oversees the construction of fine ships. I am not sure that I would agree that anybody else can do it better than we can.

With respect to icebreakers, it is, of course, true that the Finns have a great deal more experience in this than we do. I must say though, having ridden the *Polar Sea* last January, I am quite convinced that that design is going to prove itself once we get all the bugs worked out. I think it is at least useful for me to tell this committee what my general professional judgment is on this matter of our being in the design business and how well we do this. It is my experience that we do pretty well.

Mr. BIAGGI. Thank you.

Mr. OBERSTAR. I thank the chairman for his questions and for the observations.

Is the Coast Guard proceeding with a so-called dual service capability on this icebreaker, or puller duty, lake duty?

Admiral HAYES. Yes; we are, Mr. Oberstar. That will give us the capability of utilizing it much more effectively on a year-round basis.

Incidently, of course, it will be replacing one of the ships that is currently located in the Great Lakes.

Mr. OBERSTAR. One of the *Wind* class breakers, I assume?

Admiral HAYES. Yes, sir. It will, incidently, have more capability than that vessel.

Mr. OBERSTAR. Hopefully.

We are all anticipating that it will do a good deal more than the *Wind* class or the *Mackinaw*. I was puzzled by the statement in your prepared remarks about interfering with private enterprise in providing icebreaking assistance on the lakes.

Is there legal authority for commercial icebreaking capability? What is the basis on which any commercial icebreaking capability on a regular basis would be provided?

Admiral HAYES. Mr. Oberstar, before I answer your question, are you familiar with the basis upon which the Coast Guard currently does icebreaking?

Mr. OBERSTAR. Oh, my, yes. I have read the regulations, and going back to your policies back in the thirties, the authority under which the *Mackinaw* was constructed, the direction of Congress to the Coast Guard, and I understand that there may be some non-Federal channels in dock areas which are private areas which may be considered commercial towboat areas but not as a matter of regular provision of service in the open lakes and in the channels. I recognize also there may be circumstances in which a carrier may have contracted with a private firm for some towing in ice conditions, but none of those can possibly supplant the heavy duty icebreaking capability of *Wind* class or *Mackinaw* icebreaker. There is not any in commercial service that could provide that operation. So I do not understand what is the thrust of your statement here and, frankly, it raised with me the kind of question that maybe the Coast Guard is backing off the commitment to provide icebreaking capability for extended season navigation.

Admiral HAYES. Let me take the last one first.

Most certainly that is not the case, I can assure you of that, Mr. Oberstar. If anything, it is my belief that this Nation requires a greater icebreaking capability than it has today, not just in the Great Lakes but in the Arctic regions as well.

Having said that, I will also say that it also is my considered judgment that the current icebreaking policy of the Nation generally has not been adequately formulated and, indeed, at the present time, there is a group within the executive branch working on this subject. I think coming then down the next step to the matter of icebreaking on the Great Lakes specifically, I see no problem whatsoever in the Coast Guard providing icebreaking services to any mariner who is in need of assistance. That goes without saying.

The next question to be dealt with is how about the facilitation of commerce? Well, clearly, the intent of the Transportation Act and the Executive order and past practice is that certainly on the Great Lakes the Coast Guard indeed would do icebreaking to facilitate the movement of commerce.

Then, going down one more step to point where commercial capability is available in the form of tug services, that also happens to have icebreaking capability, if they are contracted for by a commercial firm, by an enterprise that needs that service, in lieu of asking the Coast Guard to do it, then it certainly is not our policy to interfere with the ability of such a private entrepreneur to conduct his business. That is where it gets sticky. I do not feel that I can write a policy that applies to all the circumstances.

As the Vice Commandant mentioned a moment ago, one of the real problems is trying to write policy in headquarters and cover all the operational eventualities and, of course, we cannot do that.

My view is that the district commander up there in your district must assess what is going on and provide the best judgment that he has under this broad policy. I hope I have dealt with your question adequately here.

Mr. **Oberstar**. Well, to some extent, but it raises a question of an operation on the Great Lakes. There have been circumstances when, under the Coast Guard's existing practice, that, of course, the commercial towboat claims it has icebreaking capability and provide icebreaking services, the Coast Guard will not come forth unless the vessel is in some distress in ice. This then results in some delays in shipping, rather considerable delays which, of course, are costly.

I think it does raise a question as to in which areas of the lakes and under what condition the Coast Guard is going to continue to provide icebreaking services.

Admiral **Hayes**. It is my intention, Mr. Oberstar, that the Coast Guard will continue to provide icebreaking services throughout the Great Lakes. I do not intend to back down at all. Indeed, I am convinced that with the new 140-foot icebreaking tugs, replacement for those old 110-foot tugs and the dual draft icebreaker, replacement for the *Wind* class, already is a very substantial increase in our capability to serve the mariner and it certainly is my intention to continue that. The sticky wicket is just to be sure in individual specific instances that I am not interfering with private enterprise, and it is a very difficult question to deal with.

But I do not intend for 1 minute to back down from our responsibilities to aid and assist the mariner.

Mr. **Biaggi**. The gentleman's time has expired.

Mr. Evans.

Mr. **Evans** of Delaware. I would like to make a general comment first, and then ask three or four questions of Admiral Hayes or any of these gentlemen.

First, I would like to welcome you. Second, to say that the mission of the Coast Guard has gone far beyond the original mission of search and rescue. You are involved in trying to do something about drug enforcement, the Cuban armada coming in to Key West, and with fisheries patrols and a whole range of new responsibilities, and I recognize that you are carrying them out with a great degree of effectiveness considering the resources available to you. That is a difficult job, and I congratulate you.

The first question relates to a subject that we have discussed before, Admiral Hayes, and that is the status of the Coast Guard's Research and Development Center. I suggested in the past that you should take a look at the financial aspects of a new Research and Development Center, and I think you concur there. And also the overall effectiveness of a research and development center as it might be improved upon, being located next to an institution of higher learning whose mission somewhat parallels the mission of the Research Center, such as the College of Marine Studies at the University of Delaware.

I wonder what the status of your search is, of your assessment, and when you might be making a decision?

Admiral **Hayes**. First, Mr. Evans, may I say that I am delighted to be in a buyer's marketplace right now. It has been a rather refreshing experience to see a number vying for Coast Guard facilities, and I think it will result in a better arrangement for our Research and Development Center wherever it turns out to be.

With respect to a decision, I am not anywhere near a decision on it. As you know, the State of Connecticut likewise is most interested and concerned about retaining that facility in the State, and they are presenting to us some propositions that we must consider as well. So it will be awhile yet.

I have assured those who have an interest, including yourself, that I will certainly keep you advised when a decision becomes imminent.

Mr. **Evans** of Delaware. Let me just add, Admiral Hayes, that we are very much interested in having that R. & D. Center located in the State of Delaware, and we stand ready to help you from a financial standpoint. We also stand ready to help you from a University of Delaware standpoint. It is an outstanding College of Marine Studies there, and I do think, as I said before, that that mission does parallel the research mission of the Coast Guard and anything that we can do to help, we certainly will.

Let me congratulate you on setting up the Office of Navigation. I do not know whether the admiral you have is related to our colleague, Mr. Bauman, or whether it is pronounced Bowman.

Admiral **Hayes**. I happen to have him here. He can answer that question for you.

Admiral **Bauman**. I have a son, Robert Bauman, and we take advantage of the campaign literature. No relationship, sir.

Mr. **Evans** of Delaware. Welcome, and let me say that aids to navigation are expensive but they prevent an even greater expense. I have always felt that an ounce of prevention is worth a pound of cure, and certainly that applies to the aids to navigation, as you know, in the Delaware Bay. As you know, that channel is a heavily traveled channel; a number of oil tankers plying back and forth. The channel is narrow, and the fog is heavy in the wintertime. We need to keep that oil flowing up the Delaware River. But, by the same token, we do not need to have an oil spill costing tens of millions of dollars to our economy. I hope you will definitely take a close look at that situation.

Admiral **Hayes**. As I am sure you are aware, Mr. Evans, we are doing just that. We are looking at not only the more conventional short-range aids to navigation, but also the possible applications of electronic aids to navigation of greater accuracy.

We have a minichain operation up in the Great Lakes right now, which is showing substantial promise, and if it indeed ultimately does demonstrate what it appears to be doing right now——

Mr. **Evans** of Delaware. Let me add one thing. I was listening to the gentleman from Minnesota, Mr. Oberstar, and I would hope that your icebreaking program on the Great Lakes and elsewhere will not only be in the nature of search and rescue, but will be related to transportation generally and to the development of commerce and the improvement of our economy which, of course, comes with those open lines of transportation upon the Great Lakes and elsewhere. I would assume that that is your position.

Admiral **Hayes**. Most certainly. I can assure you that there are concerns being expressed and there are those who believe in the need for user charges.

Mr. **Evans** of Delaware. The fourth question I have is an important one, Admiral, and Mr. Chairman, it relates to the compensation of personnel to the Coast Guard.

On page 9 of your statement, Admiral, you were talking about the early indicators reflect a stabilization of the reenlistment rate both for initial and subsequent tours, but they are entirely too low.

Let me emphasize the fact that I think they are entirely too low when you only have one of six reenlisting for a second tour, that is very difficult. I do not know what the figures are. I do know, as far as the Navy is concerned, as far as the Air Force is concerned, with pilots, for example, that we lost a substantial number of Navy pilots the last quarter. It cost about $8,000 to $9,000 to train one of those pilots in the debriefing and evaluation that went on afterwards. It was clear with the 400 that left, that additional compensation would have kept the vast majority of them. If you multiply $10,000 by 400, you get $4 million. If you multiply 400 by $9 million, you get $36 million.

What I would like to do is ask you some questions and if you cannot do it today, give it to me in writing, what the cost of training for enlisted personnel happens to be for that first tour, what the cost of training would be for noncommissioned officers, and what the cost of training would be for commissioned officers. Because I note you say that you are supportive of the President's program. I do not know whether you are talking about the President's program on—out at sea or when he gets onshore, but I think it is very, very important to upgrade the abysmally low pay scales in all of the services to retain people because, again, I think it is penny wise and dollar foolish not to do it.

Admiral **Hayes**. I could not agree with you more, Mr. Evans. I will provide for the record the cost information you asked for.

I might point out something interesting to this committee that might not have been clear in my statement.

The problems I am identifying have to do with our enlisted personnel. For some unexplainable reason, and I mean that quite literally, our commission officer corps has the lowest rate of attrition today than it has had in the last 15 years.

[The following was received for the record:]

COST OF TRAINING

The high attrition rate that the U.S. Coast Guard is experiencing will generate expensive replacement costs in the future. These costs will be in the form of lower overall proficiency levels, higher recruitment loads, and subsequently the need to train new personnel in the skills and knowledge which were lost due to the high turnover of personnel. To provide benchmarks on training costs the following will establish first tour training costs for enlisted personnel, job related training costs for a petty officer, and the initial training costs for commissioned officer corps.

BASIS FOR COST DATA

Throughout this presentation, the actual costs for fiscal year 1979 are used. These costs are conservative, they do not include salaries, per diem, or allowances paid to cadets and trainees nor do they represent our capital plant investments at our training commands. All dollar costs have been developed for comparative purposes and include such documentable items as training and education staff salaries, the Academy and training center operating costs, and the travel costs incurred by trainees. In the case of training costs associated with petty officers, bear in mind that these costs normally occur over a period of four to eight years. Consequently the costs of this training are ever increasing over time. Moreover, because travel costs are energy intensive, these costs are presently escalating at an annual rate far higher than the annual rate of inflation.

ENLISTED PERSONNEL TRAINING

The following information provides the costs associated with recruitment, entry level recruit training, and a basic job (or rate) entry school that an enlisted person will take during his first tour (four years) of duty. In fiscal year 1979 transforming an individual off the street into a petty officer cost the Coast Guard $7,800. To break this down further, the total cost of minimum entry level training and recruitment of enlisted personnel in fiscal year 1979 was $20,720K. We had a total of 6,488 recruits in fiscal year 1979 which yielded a cost per recruit of $3,200. After recruit training the individual will then undergo basic job (or rate) entry level training (called Class "A" school). The cost of this schooling varies in proportion to the length of training time—a spectrum of from ten to twenty-four weeks. The additional cost of specific job entry training varied from $2,570 for a Boatswains Mate to $7,130 for an Aviation Technicians Mate graduate producing a weighted per graduate average of $4,260. Hence, our minimum first tour recruiting, travel and training costs per person varied from $6,100 to $10,600 which generated the representative figure of $7,800 previously given.

PETTY OFFICER ADVANCED SPECIALIZED TRAINING

Our most expensive and difficult to recover attrition-caused training costs occur when a petty officer leaves the service after six to ten years. In addition to the training already described, a petty officer usually attends from one to five advanced specialized courses (called Class "C" schools) during the individual's first eight years of service. The number of "C" schools attended is directly related to the rate and assignment of an individual. Our total cost of advanced specialized training in fiscal year 1979 was $6,100K which results in an average cost per graduate of $700. Hence, the minimum training and travel cost for such a petty officer was $8,800 in fiscal year 1979 dollars. While this figure represents an average it should be realized that this cost can vary from a low of $6,904 (Boatswains Mate attending only one "C" school) to $17,344 (an Aviation Technicians Mate attending five separate "C" schools) or even higher depending upon the individual's and Coast Guard's needs.

In addition there is no way to represent in simple dollar terms other training and education costs. For example, during a ten year period a petty officer may have taken six to twelve USCG prepared correspondence courses. The petty officer would have been required to take servicewide examinations, for promotion purposes, all developed and administered by the Coast Guard institute. However, during those ten years a petty officer would have received incalculable hours of on the job training, on site team training, and irreplaceable experience as a result of doing his or her job. When such a petty officer leaves the service, at the present time; it requires ten recruits to provide one petty officer six years later. The training costs to provide this replacement are considerable.

COMMISSIONED OFFICERS

Three programs currently supply the Coast Guard's commissioned officer corps. The first source which has traditionally been the primary supplier of officers is the U.S. Coast Guard Academy. Historically, Academy graduates are more career-oriented than graduates of the other two officer programs, Officer Candidate School and the Direct Commissioning Program. In 1979 dollars, the cost of graduating a cadet from four years of rigorous military and academic training was $102K. The entire fiscal year 1979 cost for supporting Academy trained cadets was $21,300K. At entry into the service, nearly half of the Coast Guard's officers corps is supplied by the Officer Candidate School (a 17 week program) or the Direct Commissioning Program (a 2 week program). The Officer Candidate School provides the Coast Guard the flexibility to obtain both specialized and general duty officers at a

comparatively small price. In fiscal year 1979 dollars, the cost per officer from Officer Candidate School was $4,650 while the fiscal year 1979 cost for supporting this entire program was $912K.

Mr. Evans of Delaware. In the Coast Guard?

Admiral Hayes. In the Coast Guard.

Mr. Evans of Delaware. In the Coast Guard solely?

Admiral Hayes. Which is an interesting fact and I cannot tell you why it is true.

Mr. Evans of Delaware. Have you done, as in the Navy, an evaluation of those who have left? Do you conduct surveys involving those who did not reenlist for a second tour and try to find what may have been a proper incentive to get them to continue?

Admiral Hayes. We have two broad factors and then, of course, they can be broken down to sub-units. One is pay, pay and emoluments. The second, and it is an interesting one, has to do with job satisfaction. It is a more subtle thing and not as easily explainable. I believe it stems from two basic factors.

One, the poor retention that is occurring, because it is leaving a lot of vacancies, is causing us to transfer people more frequently and that results in poor job security because they are not in a job long enough to learn it very well.

I think probably the second factor that has to do with job security is that because we are rolling our people over so much more rapidly, the second class and first class petty officer of today does not have the length of experience and background as was true just five or six years ago, hence he or she does not have the perceived ability to do the job that perhaps their predecessors have. So the job security aspect of it is a very real one.

Mr. Evans of Delaware. Absolutely. The psychological impact, too, sending that message to our service men and women all across the world that we really care, I think that is important in terms of the pay scale. I do not think 11.7 percent increase is nearly enough to be comparable.

Admiral Hayes. No; it is not.

Mr. Evans of Delaware. To private industry at all. I think that by not improving that more, increasing that more, it is penny wise but it is dollar foolish because of the tremendous number of dollars it takes to train those individuals.

Admiral Hayes. I am told over and over again, Mr. Evans, by my people, that they are not interested in something called comparability. They want a reasonable pay scale to live on.

Mr. Evans of Delaware. Thank you, Admiral Hayes. I have gone entirely too long, but I appreciate the chairman's indulgence and I appreciate your being here, all of you.

Admiral Hayes. Thank you, sir.

Mr. Biaggi. Thank you, Mr. Evans.

My observation, I understand that perhaps some additional funding, some additional pay would be helpful in retention. The notion of comparing it to private industry is a strange one. I do not think it was ever the contemplation of the founders of these services to put the armed services on the same pay scale as private industry.

Admiral Hayes. You may recall, Mr. Chairman, that the first major change that occurred in our pay laws in the last couple of decades occurred at a time when comparability at least was talked about and the comparability index was the cost of living index which would be utilized annually to update the servicemen's pay. So that was the comparability that was being used and, of course, you are absolutely right. We could not afford to pay our people exactly a comparable wage to everything that is being earned in industry. I do not think that they perceive really that that is required, as I mentioned to Mr. Evans. I think what they want is to have a reasonable amount of money to survive on and to have a decent standard of living.

While, at the same time, they do not really mind working more than 40 hours a week, which they do, I might add.

Mr. BIAGGI. Admiral, in your colloquy with Mr. Oberstar, you made reference to not only the Great Lakes as far as icebreaking is concerned, but the polar regions.

Do we have a national policy with relation to icebreaking in those areas?

Admiral HAYES. Not at the present time, Mr. Chairman, we do not. There are some efforts underway to develop an Arctic policy. There is a group currently chaired by the Department of State, whose specific purpose is to do just that. I think it is a very, very important undertaking because, at the present time, for example, we have a very difficult time in planning for what kind of icebreaker capability we should have because we are not too sure, really, under current law and policy, what is expected of us in the Arctic region. The Antarctic region is really a similar one except that for years and years, we have, as a matter of course, been supporting Operation Deep Freeze and, at the same time, providing a base for scientific research.

So I think it will be most helpful certainly to get that straightened out, and our studies are predicated upon some suggested policies that ought to apply.

Mr. BIAGGI. Has the Coast Guard made any recommendations or embarking on any studies?

Admiral HAYES. We have indeed, sir. We have been directed to perform an icebreaking study which we have completed and forwarded on to higher authority.

Mr. BIAGGI. Mr. Young.

Mr. YOUNG. Mr. Chairman——

Mr. BIAGGI. Forgive me.

When you complete that study, will you be kind enough to send me a copy?

Admiral HAYES. Yes, sir.

[The following was received for the record:]

A copy of the Coast Guard's ongoing icebreaker study will be forwarded to the subcommittee upon completion.

Mr. YOUNG. Mr. Chairman, I would like to submit a statement and I will submit questions to the Admiral.

Admiral, welcome. I do believe that study has been completed and we would request a report of that study given to the Committee.

Admiral Hayes, I have, like I say, a whole series of questions to ask and it will take some length of time. But I am going to ask just three or four and then leave it go at that.

[The following was received for the record:]

STATEMENT OF HON. DON YOUNG, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ALASKA

Admiral Hayes, I want to thank you and the other witnesses for appearing before us today for these important Coast Guard oversight hearings. They are important because of the multiple and essential missions of lifesaving, safety, environmental protection, law enforcement and military readiness with which the Coast Guard is tasked. Therefore, we seek to have a better understanding of the operations of these programs.

Admiral Hayes, as a former Commander of the Seventeenth Coast Guard District, you know that the ties between the Coast Guard and Alaska are very strong. Alaska is the largest geographical district for the Coast Guard and contains one of the largest of the Coast Guard's operational air stations at Kodiak. In addition, the Coast Guard permanently deploys 14 vessels throughout Alaska primarily for search and rescue, aids to navigation and law enforcement. One or two high-endurance cutters are periodically deployed from the West Coast for enforcement of laws and treaties in the Bering Sea and the Gulf of Alaska. Thus, as with other maritime states, the State of Alaska has had, and will continue to have, an ever recurring need for Coast Guard services off its vast coastline.

With this in mind, I have some questions that I would like to ask at this time.

Mr. YOUNG. A couple of them are personal in a sense that they directly affect Alaska. One is there has been a complaint filed by some people in Alaska about a boarding of a ship, the *Irish Rover*, in Glacier Bay, at the request of the Park Service. I am not disputing whether you have that legal authority or not, and I thoroughly researched that, but I would like to know what the criteria is, whether a boarding should take place or should not take place and how do you respond to another agency and why do you respond to an agency unless there is an actual charge being made?

Admiral HAYES. I am not familiar, first of all, Mr. Young, with the case that you asked the question about.

I received the question really too late to properly staff it out. Let me therefore answer more broadly and if you would like, we will provide some additional information for the record.

As far as our boarding authority is concerned, it is pretty clear that we have the authority to board U.S. vessels wherever they may be under our broad charter of enforcing the maritime laws of the United States. So the authority to board is clear and it is very broad and it applies to all Coast Guard commissioned officers, warrant officers and petty officers.

Mr. YOUNG. I do not dispute that at all. But I want you to be well aware that I suggest great discretion by responding to agencies, sir. Is a specific charge being laid upon the vessel? You have a fine reputation in Alaska. I am not about to see another agency screw that up. I have no love for that agency, I want you to know that. Especially when I got to bat to get you fuel dollars to travel, because you are overextended, and I want you to know my interest in this is very high.

Admiral HAYES. I will give you another fact, Mr. Young, and that is that we have had for sometime an agreement with the National Park Service that where they do not have their own facilities available, we will assist them in enforcing laws of the United States and their regulations in emergency situations. So that agreement certainly provides the basis for the response without arguing the merits of the response.

Mr. YOUNG. I understand that, but I would suggest very enthusiastically that there was no citation, there was no infraction. Yet the reputation of the Coast Guard is, in fact, being a policeman. I do not want to see that.

Second, I have another question concerning the Biloxi-Gulfport area concerning the Vietnamese agencies operating fishing vessels. I have had a letter to the Coast Guard for approximately 4 weeks now, since May, where there has been comment, where the Coast Guard is requiring strict documentation of American vessels in the fishing fleet and none in the—on the Vietnamese and Asian, new arrival refugees, and we have not got a response from that, by the way.

Admiral **Hayes**. Could I ask Admiral Bell to respond?

Admiral **Bell**. I am probably the one responsible for the nonresponse to your letter. We have about six of them.

Sir, we can find no substantive basis to the allegation that we are not carrying out uniformly the documentation laws. The documentation laws are quite clear in the United States, they give no discretionary authority at all. As they apply to U.S. fisheries, people must be U.S. citizens, they must have U.S.-built boats, and there is no relaxation in respect to that.

I have five letters on my desk, including one, I believe is yours, sir, that basically say this. We are forwarding them on to our Commander in the Eighth District, so he is aware of them and can put added emphasis on this point. I am still not clear though on how anybody could believe that through our documentation laws we had some arbitrary means of enforcement. They are extremely explicit and it would be illegal for an alien to be fishing or to own a U.S. fishing vessel.

Mr. **Young**. I am only reporting what is being reported to me, and there are other Congressmen very interested in this supposed allegation. If it is occurring, I think it is imposition upon American involved fishermen.

Admiral **Hayes**. I think, as Admiral Bell says, if that is indeed occurring, then we have our own house to put in order.

Mr. **Young**. Admiral, we have, in regard to the Columbia Glacier near Prince William Sound, the U.S. Geological Survey indicating that the retracking of the glacier would increase the hazards in this region. I am concerned that this would lead to serious threats to all tanker traffic and an adverse effect that a spill might have on the industry.

Are there any plans for tracking icebreakers and have those plans been studied? Is there any plan available at this time?

Admiral **Hayes**. Of course, we are aware, Mr. Young, of that specific potential problem. The answer basically is, yes, we have our vessel traffic center operation at Valdez. They have vessels that are capable of getting underway, of leaving Valdez to review the area. We have some radar capability with which at least we will be able to identify the movement of any iceberg out of the immediate proximity of the Columbia Glacier. That is, we will be able to see them move out into the shipping channel if they come directly out of that area.

Mr. **Young**. Has there been any increase at all, Admiral, to your knowledge?

Admiral **Hayes**. Not significant at the present time, Mr. Young. We will certainly monitor it, that I can assure you.

Second, we will take actions to assure that it does not impact unfavorably upon that tanker traffic.

Mr. Young. I am interested because you know there has been a great scare tactic going on about the Columbia Glacier. And if we can keep ahead of it, it will help us out to a great extent. Along that line, I was visiting Cordova this year and, as you know, you have a brand new constructed air station that has never been manned. It looks to me like that would be a great savings if we could station a helicopter or something for that specific purpose and search and rescue because there is a gap in that, between, I guess, Kodiak would be one of the closest bases of search and rescue, and you might be able to double up and catch up there because of the activity of the glacier. I know you did not ask for that funding in last year's budget. Hopefully this year there will be funding to man that station.

Admiral Hayes. Certainly we do have it in our longrange planning. What has been constructed is phase 1 which would give us the ability to stage a helicopter there overnight and give us protection and be able to refuel it.

All I can tell you is that it, along with other high priority problems, of course, need additional resources.

Mr. Young. I would like to look at this as a high priority for the total congressional district of Alaska, and we have no dispute on this one issue, so as time goes by, hopefully, we can get somebody stationed in there for helicopter work.

Mr. Chairman, I have a whole series of questions to submit to the admiral, and with your permission they will be submitted and, hopefully, we will get the answers back in an appropriate time.

Thank you, Mr. Chairman.

Mr. Biaggi. Admiral, last week a House Appropriations Committee took some action with relation to VTS in New York.

How does that affect your target date for implementing it?

Admiral Hayes. As the chairman knows, I fully supported the President and the Congress efforts to deal with a balancing of the 1981 budget. The action occurred at a time when we were getting ready to transfer the personnel associated with VTS New York and VTS New Orleans.

We have stopped those actions and directed both VTS's to either go back to normal operations or to establish operations at such time as New York is ready to do so.

I think obviously, Mr. Chairman, we have been told now to continue to operate two facilities that we are taking budget reductions on without any restoration of the funds to operate them. So that clearly causes me a problem.

Mr. Biaggi. We are well aware of that.

Mr Livingston.

Mr. Livingston. Thank you, Mr. Chairman.

Admiral, with respect to the GAO reports on the aids to navigation on Louisiana's coast, you have addressed most of the GAO recommendations, particularly with respect to reevaluation of what is to be done.

But I specifically would like to ask you—but first point out that there is some concern about the maintenance of buoys down along the south coast and southwest pass—and while certain studies could be undertaken by the Coast Guard to see what the problem is, it would appear that the GAO's recommendation that a formal communication program be undertaken with the local mariners would serve to highlight the most important problems, the ones which should be prioritized.

What specifically do you recommend or do you fell will take place in the way of establishing such a formal communication program?

Admiral HAYES. Well, fortunately, Mr. Livingston, I had the opportunity during the break to talk to some of your constituents down that way, and that specific subject is what we talked about. Indeed, I think you put your finger on one of the important things that needs to be done, and that is to establish communication.

I have to tell you that I find that one of my most significant problems internal to the Coast Guard let alone with our many external constituencies and people whom we serve and work with. So that would have to be a top priority.

I believe our district commander has already taken such steps. As I mentioned in my statement, the new Chief of our Office of Navigation has visited our district and has had discussions with the district commander. I am one who likes to reduce the number of studies to an absolute minimum. I would hope that we can establish answers without any long and agonizing reappraisals or studies to get to the heart of the matter.

Mr. LIVINGSTON. So you would expect some action along those lines in the near future?

Admiral HAYES. I would hope so.

Mr. LIVINGSTON. Good.

Also there is some concern as to whether or not you can properly maintain these buoys in-house. Whether or not the Coast Guard is being cost efficient.

Do you feel that the Coast Guard is being cost efficient? On the other hand, do you believe that independent contractors could be used to correct discrepancies to maintain the buoys better at a more cost efficient rate?

Admiral HAYES. I certainly have not, Mr. Livingston, been presented any data which suggests that somebody could do it cheaper than we. I guess I do not have any basis on which to really suggest an answer to your question.

I do know that we have an expertise that has now been in the Coast Guard since 1939. So as far as the maintenance of aids to navigation system and the overhaul and maintenance of the buoys, we almost, everywhere around the service now, have established modern sandblasting and spray painting shops, for example, and all of those capabilities are in place. That capital investment has already been made. We have our aids to navigation teams who are experts and have been given special training to maintain these aids to navigation systems within their capability. We have not just been standing still with respect to this entire program.

So, I think with the kind of management attention that we are currently giving it, and the outside prodding that clearly has occurred from Congressional interests and from constituencies, that we are, as I said in my statement, on the right track.

Mr. Livingston. Would you anticipate that studies that you referred to in your statement would look into the possibility that the Coast Guard might be less cost effective than perhaps private contractors?

Admiral Hayes. I do not know that that specific study has been identified. It is certainly one that we could do.

Mr. Livingston. I would think a study might help us in the future to determine whether we are getting the best for our bucks.

Admiral Hayes. Are you talking of maintenance or servicing? There is a substantial difference.

Mr. Livingston. I believe we are talking about both.

Admiral Hayes. I guess there are a couple of things that come immediately to mind.

One is a little bit like search and rescue. It is all well and good to say that private enterprise can come up with that capability but really they have not done so because it is a high cost enterprise and because an awful lot of what you are doing is being on standby for the emergency event, such as going out to relight the buoy or the fixed aid. We have contracted for civilian personnel to maintain more isolated lights in the past, and we continue to do that occasionally. We are looking at how much better maintained our old automated fixed aids to navigation might be under contract rather than by using Coast Guard personnel.

So we are indeed looking at those questions right now.

Mr. Livingston. As you reach these evaluations, will you make copies of your findings available to this Committee and to me?

Admiral Hayes. Surely.

[The following was received for the record.]

The Commander, Eighth Coast Guard District is determining if commercial contractors can be employed to perform emergency maintenance of aids to navigation in an operationally and cost effective manner. His report, which is expected to be completed in early January 1981, will be forwarded to the subcommittee.

Mr. Livingston. Thank you.

Also I understand that on June 3 of this year, Captain Cook of your Intelligence and Security Division delivered a paper to the Energy and Motion Committee, entitled, "Terrorism, Marine and the Environment," which discusses legal action by the Coast Guard.

I wonder if you would furnish a copy of that paper to me and to the subcommittee for introduction into the record?

Admiral Hayes. Yes.

[The following was received for the record:]

A copy of the paper, "The Terrorist Threat in Maritime Environment" is furnished for insertion in the record as requested by the Subcommittee.

THE TERRORIST THREAT IN THE MARITIME ENVIRONMENT

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ABSTRACT

The extensive commercial activity, present and potential, in the coastal and offshore maritime areas of the United States represents a huge capital investment committed to recovery or handling of resources of vital importance, economically, ecologically and strategically. The susceptibility of these resources to criminal acts (terrorism in particular) is a matter of growing concern in these days of unpredictable events. The following is the text of a speech delivered by the author before the Seventh Ocean Energy Conference.

INTRODUCTION

The Coast Guard's project to address the matter of terrorism in the maritime environment is less than two years old. An initial in-house look at the matter was directed toward the level of response capability we should have. The results of that effort pointed up the fact that there is insufficient information upon which to formulate a valid threat assessment of the maritime arena. The project was then redirected in October 1979 through a joint Coast Guard and Federal Bureau of Investigation study funded by the Law Enforcement Assistance Administration to address the maritime terrorism threat.

MARITIME LEGAL JURISDICTIONS

Before discussing the status of the current study, it is important to have some understanding of the complex legal jurisdictions involved. The discussion which follows encompasses a very broad scope and, therefore, is intended to be informative in nature rather than a legally rigorous discourse.

The Coast Guard has substantive authority to respond to acts of terrorism which violate federal criminal statutes in the maritime jurisdiction. One of our primary duties is to enforce or assist in the enforcement of all federal laws upon the high seas and waters subject to the jurisdiction of the United States (14 USC 2). Further, broad statutory authority in 14 USC 89 is conferred upon the Coast Guard to carry out that duty. This section of the code states in part: "The Coast Guard may make inquiries, examinations, searches, seizures, and arrests upon the high seas and waters over which the United States has jurisdiction, for the prevention, detection, and suppression of violations of laws of the United States." Section 89 also specifies that the Coast Guard may take "other lawful and appropriate action", when violations of federal law occur in the maritime jurisdiction. This caveat further broadens the authority to act. These authorities are not unlimited, however, and the limitations that apply will be discussed subsequently.

The Coast Guard seldom has exclusive jurisdiction in the areas within which it is empowered to act. Concurrent jurisdiction with other federal agencies (such as the FBI), or State or local law enforcement agencies is common. However, the Coast Guard maintains an all important operational presence in the arena, and through its ongoing interaction with maritime industry, is recognized as a prominent law enforcement agency. Early involvement by the Coast Guard in any marine related law enforcement incident is, therefore, highly likely.

The Coast Guard, as one of the federal enforcement agencies, is primarily concerned with violations of federal law. Unfortunately, there is no comprehensive federal criminal statute which specifically defines an act of terrorism or makes terrorism a federal crime. For purposes of this paper, a "terrorist incident" is defined as the threat or use of violence by private persons for political objectives. As such, a terrorist incident includes distinct criminal acts which greatly endanger the safety of persons or property. Therefore, in the absence of a federal anti-terrorism statute, it is necessary to rely on other federal statutes which may be violated when an act of terrorism occurs. Most crimes against the United States are codified in Title 18, United States Code, and many federal crimes which might be violated during a terrorist incident can be found there. However, some of these federal crimes are limited in their application to the "special maritime and territorial jurisdiction" (18 USC 7). This is particularly true of traditional common-law crimes, such as murder (18 USC 1111) and robbery (18 USC 2111), which are unrelated to any peculiarly federal interest. Such offenses are only violations of federal law when they occur in federal enclaves outside the jurisdiction of a state.

Geographical Divisions. There are three relatively distinct jurisdictional sub-areas within the maritime environment in which the basic 14 USC 89 authority of the Coast Guard is applied. These are: (1) Internal Waters (waters shoreward of the territorial sea baseline), (2) the Territorial Sea (waters in a 3 nautical mile wide belt extending from the baseline seaward), and (3) the High Seas (waters seaward of the territorial sea).

Internal Waters. Within these waters, another particularly potent source of authority is the Magnuson Act (64 STAT 427) which amended the Espionage Act (50 USC 191). The Magnuson Act authorizes the President, upon a finding that the security of the United States is endangered, to issue rules and regulations to safeguard the vessels, harbors, ports and waterfront facilities in the United States. The President made the finding required under the Magnuson Act in Executive Order 10173 and issued regulations for Port Security (33 CFR 6). The Executive Order authorizes the Coast Guard to administer and enforce the regulations (33 CFR 6.14-1).

Of special significance, is the authority to establish a "security zone", which is defined as "....all areas of land, water, or land and water, which are so designated by the Captain of the port (who is a Coast Guard official) for such time as he deems necessary to prevent damage or injury to any vessel or waterfront facility, to safeguard ports, harbors, territories or waters of the United States or to secure observance of the rights and obligations of the United States" (33 CFR 6.01-5). Once a security zone is established, the Coast Guard may control access to the zone, inspect and search persons and property within the zone, remove from the zone all persons and property not specifically authorized to remain, and take possession and control of vessels within the zone as necessary (33 CFR 6.04-5 through 6.04-8, 33 CFR 127.15). Therefore, the authority contained in the Magnuson Act and implementing regulations (33 CFR 6) would provide a legal basis for direct enforcement action against terrorists, once a security zone is established.

An additional source of statutory authority is the Ports and Waterways Safety Act (PWSA). Section 6, entitled "Waterfront Safety", authorizes the Secretary of the department in which the Coast Guard is operating to "take such action as is necessary" to prevent damage to or destruction of various port facilities and structures on or adjacent to the navigable waters of the United States (33 USC 1225). The emphasis of this statute is "safety" as opposed to "security" which is fundamental to the Magnuson Act. Also the PWSA does not require a presidential finding. Therefore, if EO10173 were revoked, the PWSA would provide an alternative, but more limited, source of authority for the Coast Guard.

The general authorities of 14 USC 2 and 14 USC 89, and the more specific authorities of the Magnuson Act and the Ports and Waterways Safety Act do provide a substantive basis for Coast Guard response to terrorist incidents on internal waters and in waterfront areas. However, there are also significant limitations which must be recognized. I discussed earlier the limitation with respect to the common-law criminal statutes.

A second limitation is that the Coast Guard's arrest authority includes arrest ashore only when immediately pursuing a person who has escaped to shore. There is a good basis for implied statutory arrest authority ashore for violations of the regulations issued under the Magnuson Act, but there is no general statutory authority for Coast Guard personnel to make arrests ashore for violations of the Federal Criminal Statutes (Title 18 USC). The "Citizens Arrest" under state law is available, but its extent of applicability varies widely from state to state (except for felonies committed in ones presence). Furthermore, most state laws are obscure concerning the degree of force a citizen may use in making an arrest and the right to conduct a search incident to a citizens arrest. It becomes evident from this discussion on arrest limitations, that responses to terrorist incidents in waterfront shore areas may prove most effective if coordinated with other federal, State and local law enforcement agencies which possess broader arrest powers on shore.

A third limitation on Coast Guard response to terrorist incidents in internal waters is the status of foreign flag vessels. In general, the United States has adopted the position that port officials have authority over all events aboard a foreign merchant vessel within our internal waters. However, the port officials should refrain from exercising jurisdiction unless activity aboard the vessel disturbs the "peace and tranquility" of the port. A terrorist incident could be viewed as violating the peace and tranquility of the port and support response action, but the limitations previously discussed must be applied to determine whether the Coast Guard, other Federal Agency or State authorities could best take action. Unless the situation poses a serious threat to the safety of the port, it would be normal procedure to obtain consent of the master or other flag state authority before boarding the foreign vessel.

Finally, authority over foreign flag warships in our internal waters is limited even further. The general rule is that the coastal state has no authority to intervene in conduct aboard warships in internal waters without the consent of the flag state, provided the ship "demean herself in a friendly manner". Therefore, if an incident is being controlled on board, there is no authority to board the vessel.

The restrictions with respect to foreign flag vessels do not apply to U.S. registered ships. However, the majority of ocean going merchant vessels in U.S. Ports are likely to be of foreign registry. Responses to terrorist incidents involving foreign nationals or foreign flag vessels qualify as non-military incidents requiring compliance with the procedures in Presidential Directive 27 for coordination within the Executive Branch. The Coast Guard is competent in these procedures through routine exercise of them in fisheries zone and drug interdiction actions.

Territorial Sea. With respect to vessels, the statutory authorities in 14 USC 89, 50 USC 191, and 33 CFR 6 also provide the basis for law enforcement response to terrorist incidents in the territorial sea. The problems with limited arrest authority on shore do not apply here. Also, since judicial construction has included most of the territorial sea within the meaning of "special maritime and territorial jurisdictions", the Federal Criminal Statutes (18 USC) are generally enforceable by the Coast Guard (and the FBI). As in internal waters, limitations apply to terrorist incidents aboard foreign flag vessels in the territorial sea. Under Articles 14 through 23 of the 1958 Geneva convention on the territorial sea and the contiguous zone, foreign flag vessels enjoy the right of innocent passage, and the coastal state must not hamper innocent passage. Passage is innocent "so long as it is not prejudicial to the peace, good order or security of the coastal state" (Article 14, para. 4). In addition, Article 19 provides that unless invited aboard or suppressing illegal narcotics traffic, coastal states should only exert criminal jurisdiction to arrest or investigate on board foreign flag vessels passing through the territorial sea if:

(a) "The consequences of the crime extend to the coastal state." or

(b) "The crime is of a kind to disturb the peace of the country or the good order of the territorial sea."

There is little precedent concerning what type of incident fits within the scope of the quoted articles, but it is likely that most terrorist incidents, because of their violent nature and implications beyond the vessels, would provide ample justification for action by the Coast Guard. The type of foreign ship involved is also important, because the convention contains specific provisions in regard to government ships operated for non-commercial purposes (Article 22) and warships (Article 23). Here too, the requirements of Presidential Directive 27 must be compiled with.

Offshore assets are another type of facility within the territorial sea. For purposes of this paragraph, offshore assets are taken to mean non-vessel facilities. The provisions of 14 USC 2 and 14 USC 89 allow the Coast Guard to respond to terrorist incidents involving violations of U.S. law on offshore assets located within the territorial sea. Here again, the Federal Criminal Statutes (18 USC) are enforceable since the "special maritime and territorial jurisdiction" interpretation applies. The ports and waterways safety act is applicable. And finally, the Magnuson Act is applicable if the offshore asset fits within the categories of "harbors, ports, or waterfront facilities" covered by the act.

High Seas. The statutory authority in 14 USC 89 provides sufficient basis for the Coast Guard to respond to terrorist incidents involving violations of U.S. law on U.S. registered vessels on the high seas. Again, the problem of limited arrest authority does not apply, and the federal criminal statutes are generally enforceable. On the contrary, authority to proceed against foreign flag vessels does not exist, unless authorized by the soverign state. However, terrorist incidents may constitute acts of piracy, and articles 14 through 22 of the 1958 Geneva convention on the High Seas may apply. Article 15 defines piracy as "any illegal acts of violence, detention or any act of depredation, committed for private ends by the crew or passengers of a private ship or a private aircraft and directed: (a) on the High Seas, against another ship or aircraft; or against persons or property on board such ship or aircraft." Thus, terrorist activity directed from one vessel against another vessel may well constitute an act of piracy. In such cases, "every state" may seize the pirate vessel, or vessel taken by piracy and under control of pirates, and arrest the persons and seize the property on board (Article 19). Coast Guard vessels are among the types authorized under the convention to take action against pirates (Article 21). Thus, under appropriate circumstances, this additional authority would accrue to the Coast Guard on the High Seas.

The last item of consideration will be offshore assets on the High Seas. These may be divided into three distinct categories: (1) facilities on the outer continental shelf related to resource exploitation (OCSLA structures); (2) deepwater ports; and (3) other offshore assets (offshore energy producing facilities, facilities subject to the submerged lands act lying seaward of the territorial sea, and those offshore terminals not subject to the deepwater ports act).

The laws of the United States are applicable to both OCSLA structures and deepwater ports. Section 4 of the OCSLA allows U.S. law to be applied"....to the same extent as if the outer continental shelf were an area of exclusive federal jurisdiction located within a state" (43 USC 1333 (a) (1)). The Deepwater Port Act allows U.S. law to be applied

"...in the same manner as if such port were an area of exclusive federal jurisdiction located within a state" (33 USC 1518 (a) (1)). These statutes and the provisions of 14 USC 89 provide a basis for the Coast Guard to respond to terrorist incidents occurring on OCSLA structures and deepwater ports.

In further support, both the OCSLA and the 1958 Geneva convention on the continental shelf provide for establishment of a 500 meter radius safety zone around such structures. Access of persons and vessels may be limited within such safety zone as necessary for the promotion of safety of life and property. Thus, there is a recognized basis in both domestic statute and international convention for coastal states to respond to terrorist incidents on OCSLA structures. Finally, the Magnuson Act is applicable to protection of deepwater ports, but there is some doubt whether it applies to OCSLA structures, since those structures may not fit within the categories of facilities defined by the Magnuson Act.

There is currently no legislation specifically addressing other offshore assets on the high seas. Hopefully, future legislation will include provisions similar to those in the deepwater ports and outer continental shelf lands acts, which clearly establish the applicability of U.S. law. At the present time, any terrorist action perpetrated against an offshore asset from a U.S. registered vessel could be proceeded against by the Coast Guard to the extent that the vessel and personnel aboard are subject to U.S. law.

Perpetrating a terrorist incident against a U.S. owned offshore asset from a foreign flag vessel presents additional problems. First, such actions cannot be considered "piracy" under the convention on the high seas because they would not be directed against another vessel. Next, while foreign flag vessels are not strictly territory of the sponsoring nation, it is likely that we would not use force against such ships without permission of the flag state due to application of Article 2 (4) of the United Nations Charter, which prohibits any use of force against the territorial integrity or political independence of a state. Further, Article 51 of the charter preserves the inherent right of individual and collective self defense in the case of armed attack. However, it is assumed that individuals committing acts of terrorism from a foreign vessel are not acting at the direction of the flag state, and thus, the "attack" is not ascribable to the state. Finally, there is international precedent for interposition for the protection of life and property of nationals in foreign territory (foreign flag vessel in this case). Such interposition is generally considered an extension of the right of self-defense. As such, the measures of protection should be confined to the object of protecting U.S. citizens from harm.

Thus, the domestic authority in 14 USC 88 (b) which authorizes the Coast Guard to protect persons and property at any time and at any place, and the international concepts discussed above may provide an adequate basis for a Coast Guard response to terrorist incidents initiated from a foreign flag vessel on the high seas against those offshore assets not defined as OCSLA structures or deepwater ports. However, the response will be on an ad-hoc basis and limited to that action necessary to protect lives and property on the offshore asset.

As stated before, responses to terrorist incidents involving foreign nationals or foreign flag vessels qualify as non-military incidents requiring compliance with procedures in Presidential Directive 27.

ANTI-TERRORISM STUDY. As stated earlier, the Coast Guard anti-terrorism effort was redirected in October 1979. At that time, an agreement between the Law Enforcement Assistance Administration and the U.S. Coast Guard was concluded, which defined the project as follows:

(a) Analyze the vulnerability of the U.S. maritime industry and offshore energy assets to disruption by terrorists.

(b) Analyze the type and level of threat terrorists and criminal elements pose to these assets.

(c) Examine through consultations, response capabilities existing in selected law enforcement agencies to combat maritime terrorist incidents within their jurisdictions.

(d) Consult with overseas military and police experts who have established counter terrorist forces to specifically deal with threats to their waterborne industry.

(e) Analyze Coast Guard and Federal Bureau of Investigation mutual response capabilities to violations of federal law in the maritime environment.

(f) Determine what specialized training should be conducted by the Coast Guard and/or Federal Bureau of Investigation to improve the maritime response/recovery capabilities of the Coast Guard, FBI, and local law enforcement agencies.

(g) Develop crisis management scenarios to aid in law enforcement contingency planning and future unilateral or multilateral training exercises for federal, State and local agencies that share law enforcement responsibilities in the maritime jurisdictions.

(h) Prepare a report to be distributed through the national criminal justice reference service of the Law Enforcement Assistance Administration. The Federal Bureau of Investigation is participating with the Coast Guard in carrying out this study.

The series of port visits to consult with field elements of the Coast Guard and FBI, State and local law enforcement agencies, and maritime industry representatives is well underway. A threat assessment survey has been compiled under the direction of the FBI and Coast Guard, and distributed to Federal, State, and local agencies and maritime industry organizations through the auspices of the International Association of Chiefs of Police. The completed surveys will be submitted to the special operations and research section at the FBI Academy for compilation and analysis. The final report on the study is due for completion in March 1981.

The port visit program is examing the vulnerability of a wide variety of maritime port facilities and offshore assets. A sample survey of the perceived threat level is being conducted based on incident experience and local knowledge. The level of intelligence collection activity is being examined. The level of existing response capability is being compiled. Finally, the extent of contingency planning for counter-terrorist actions is being surveyed. While it is premature to attempt to formulate conclusions about the full range of port visit information collected to date, it is readily apparent that maritime facilities are highly vulnerable to surreptitious activities typical of terrorist groups.

Concluding Remarks

Examination of the available worldwide historical terrorist incident data for the decade of the 70's reveals that only 30 of the more than 3300 actions are attributable to maritime activity. Of the 30 marine related incidents, only 5 occurred in the United States, the most recent of these being in 1976. Of concern, is the occurrence of 100 maritime related bomb threats in the last 18 months that proved to be false alarms. This frequency of activity may be indicative of an increasing awareness of the maritime vulnerability among terrorist groups.

It is my personal opinion that the response capabilities existing among Coast Guard port safety and security units, FBI field offices, and large metropolitan law enforcement agencies is adequate to cope with the historical level of maritime terrorist activity within the United States. We must, however, look to proper preparation to adequately meet adverse changes in future activity.

About the Author

Captain Robert L. Cook is a twenty-five year veteran of Coast Guard service. He graduated from the Coast Guard Academy in 1955 with a Bachelor of Science in General Engineering. The major portion of his career has involved a wide variety of operational activities as an aviator. In 1965 he earned a masters degree in Electrical Engineering from the Air Force Institute of Technology, Dayton, Ohio. Recently, he was intimately involved with rescue and law enforcement operations in the Coast Guard's Seventh District, Miami, Florida. In August 1978, he assumed duties as the Chief, Intelligence and Security Division at Coast Guard Headquarters in Washington, D.C. In this assignment, he is responsible for the Coast Guard's Anti-terrorism Project.

Mr. **Livingston**. And on the subject—on the subject of terrorism, can you tell me who, what agency should have the lead responsibility in coping with terrorism in the marine environment? Is that the Coast Guard's function?

Admiral **Hayes**. We are wrestling with it right now, Mr. Livingston. I think it depends a lot on the circumstances.

Obviously if one goes from a naval vessel, which is clearly DOD's problem and responsibility, to the offshore platform where, at the present time, we already have vested by law substantial responsibility and authority, I suspect the Coast Guard would be involved.

I am sure you recognize this is a very sensitive area and there is some rather highly classified aspects of it, so I am going to be very careful in how I discuss it.

In my discussions with my counterparts in the various agencies that would be involved, a couple of principles have been identified.

One is that we have demonstrated through our Federal on-scene coordinating authority and responsibility in the marine environmental protection arena, that the Coast Guard has a very substantial expertise in bringing together all the capabilities that can be brought to bear on a particular problem, such as a major spill. We have developed a mechanism to do this, a command system to do this. We are fairly sophisticated in nature.

So one of the general areas that we are coming to agreement on, I think, is that we need to identify, in operations plans, a single coordinator for such an event in the maritime environment.

Second, it makes no sense to duplicate resources that have been developed by other agencies. The FBI, the Navy and other Armed Forces have developed substantial capabilities as have some of our local police forces. We think it would be foolish for the Coast Guard to duplicate that kind of capability.

So I would see us calling upon other resources to assist in that kind of eventuality with very possibly the Coast Guard being the coordinator, providing command and communications and that sort of thing. I think we are making progress. Slowly perhaps, but I think we are.

Now, there is one other thing you should be aware of. We are doing a risk analysis with the FBI to try to identify what the threat really is at the present time and then develop a rank ordering of risks. That is, should the event occur, where is it most likely to occur? What would be the focal point for such an event?

I think once we have completed that specific study, and I think that is a study that needed to be done, we will be in a good position then to focus upon the most likely event and then figure out what the best relationship should be to handle the problem. So that is where we are and the direction we are providing.

I am satisfied that it is finally getting the attention that it needs in the executive branch.

Mr. **Livingston**. Certainly it is a serious problem. Your remarks lead me to believe that it is in a state of evolution and evidently contingency plans for high probability threats are not necessarily in the works.

Admiral **Hayes**. The Vice Commandant is commenting to me, one of the reasons for that is so far in talking to the experts in this business, and I do not claim to be one, the general consensus is that in the United States at the present time, the risk probability is much lower than in places such as the United Kingdom, for example, where they are having to deal with the IRA.

Mr. Livingston. Thank you very much.

Mr. Biaggi. Mr. Oberstar.

Mr. Oberstar. Thank you, Mr. Chairman.

Returning to the icebreaker matter on the Great Lakes, after that refreshing respite of problems elsewhere in the country. The problems that the lakes experienced last summer with the trucker strike early in the year and then a grain millers 'strike and then the heavy demand on grain to move late in the season, the growing burden on the seaway locks, which are at or near capacity, indicates that we either have to expand the seaway locks, widen them, add other ones, or extend the season. And the Corps of Engineers has completed its report on the season extension demonstration program and I would like to know what the Coast Guard's view is of the report the corps has completed, and specifically whether the Coast Guard concurs with the Corps of Engineers that there is a favorable cost-benefit ratio and that, as a matter of policy, therefore, the Coast Guard should continue to provide assistance as you stated in your remarks, to meet the reasonable demands of commerce with respect to icebreaking on the Great Lakes?

Admiral Hayes. Well, first of all, as I know you are aware, Mr. Oberstar, we are not responsible specifically for that decision area. That is indeed the Corps of Engineers 'responsibility to prepare the cost-benefit ratios and to establish whether or not it is appropriate to either engage in additional dredging or put in more locks or that sort of thing. That clearly is their area of expertise.

We think that the assumptions on which the number of icebreakers that might be required for extension of the season were based, may not be accurate. But all I can tell you with respect to extension of the season is, we certainly would plan to provide whatever capability is necessary to support that. And, indeed, we would develop those plans in consonance with any decision that would be made to go forward with additional locks and additional use of the seaway during the winter months.

Mr. Oberstar. So the Coast Guard takes no position on cost benefits?

Admiral Hayes. I do not think we have the expertise to do so, Mr. Oberstar. We do not have any people who have any background in those kinds of studies.

I just think I would be out of place in trying to evaluate it.

Mr. Oberstar. There is cooperative agreement between the United States and Canada on icebreaking.

What is the status of that agreement?

Admiral Hayes. The Vice Commandant tells me that it is still in the works and we have not arrived at any final agreement.

I did note in one of the questions which you had been pursuing a concern that we might be applying different principles perhaps to support our working with the Canadians than we are within our own waters, and most certainly I would not expect it.

Mr. Oberstar. So that agreement then has not been finalized, is that right?

Admiral **Hayes**. It is being negotiated by the Department of State. Meanwhile, as a practical matter, Mr. Oberstar, as we have been for years, we are cooperating with the Canadians, they occasionally help us, we occasionally help them during the winter months.

Mr. **Oberstar**. There are understandings and cooperative efforts?

Admiral **Hayes**. For example, Mr. Oberstar, we just had a meeting with the Canadians on a variety of matters, in my headquarters, a very satisfactory one. At our level we have arrived at common agreements to basically provide assistance of the search and rescue type, crises type of assistance that we traditionally do.

Mr. **Oberstar**. I have some other questions that I will submit in writing to which you can respond at your leisure, and which I would ask unanimous consent to be included in the record at this point.

[The following was received for the record:]

Questions Submitted by Mr. Oberstar and Answers Thereto

Question 1. When will the design be ready in order that request for bids may be distributed to shipyards?

Answer. The design will be completed and specification package ready for solicitation at the time funds are appropriated.

Question 2. What parts of the specifications and drawings are now ready and how much of the work remains to be done?

Answer. The specifications and drawings are worked on as a whole package. It is not necessarily broken down into discrete elements where arrangements, lines, specifications and structural detail drawings are completed compartment by compartment. Approximately 28 percent of the total package has been completed as of 1 May 1980.

Question 3. How many people and manhours have been used to date and how many more will be needed to complete the design work?

Answer. A total of 33 people have been involved in the design work during the Contract Design Phase. A total of 8,500 manhours have been dedicated to this project with approximately 13,500 remaining.

Question 4. What are the main features of the current design, main dimensions, general arrangement, propulsion system, endurance, etc., and are these final or subject to further modifications?

Answer.

Length overal, 296.0 ft.

Beam, 64.83 ft.

Draft, Great Lakes, 22.78 ft.; Arctic, 24.24.

Icebreaking, 3 ft. of ice at 3 knots continuous 12 ft. by ramming.

Trial speed, 16.8 kts.

Cruise, 12.5 kts.

Endurance (fuel), 50 days; (food), 120 days.

Power, 13,500 shp, 6 generators supply propulsion and ships service. Power from a common bus system, fixed pitch propellers.

Accomodations, 140; flight deck, hangar, 2 SRR helicopters are included.

These design parameters are subject only to very minor modification as the Contract Design Phase progresses.

Question 5. Will the icebreaker be equipped with latest equipment, such as air bubbling system?

Answer. The Dual Draft Icebreaker is equipped with that minimum gear necessary to efficiently and safely meet its navigational and operational requirements. The air bubbler system is not included.

Question 6. Has any progress been made in an effort to reduce operating costs by reducing crew size, to around fifty men?

Answer. In accordance with existing Coast Guard manning policies coupled with the typical operating scenario, the crew size for the icebreaker is relatively fixed at 129 which includes 10 in the aviation detachment. A total of 140 accommodations are being provided of which eleven are reserved for scientists.

Question 7. In order to avoid problems encountered with the Polar Class Icebreakers, who will take the responsibility for the performance of the ship machinery and systems in ice conditions, and who will take responsibility for the fulfillment of icebreaking performance requirements?

Answer. It is important to note that the Polar Class Icebreaker development involved engineering a system not previously attempted—specifically the utilization of controllable pitch propellers on a polar icebreaker. Problems were anticipated and the past history of the POLAR STAR, in particular, verified this premonition. As a result of propeller malfunctions on POLAR STAR during 1976 Arctic testing and propeller and vibration problems during 1977 and 1978 Antarctic deployments, significant modifications were made to the propeller hubs and wing shaft thrust bearing foundations. These modifications were made to both POLAR STAR and POLAR SEA.

The results of these tests and subsequent modifications were manifested during the 1979-1980 Deep Freeze operation during which the POLAR SEA cleared the 16 mile channel to McMurdo in under 18 hours. Such performance is consistent with the designed icebreaking capability of this class icebreaker. Though modifications and design improvements will continue on this class icebreaker, it appears expected performance criteria have been met. The Coast Guard is therefore committed to the employment of these vessels, and in this manner will fulfill our icebreaking performance requirements. The problems experienced were normal considering the advanced technology designed into the Polar Class and its "debugging" period.

The Dual Draft Icebreaker is a low risk design, and thus we expect no major problems with either the machinery or the design. The contractor will be required to meet Coast Guard performance specifications.

Question 8. What will be the extent and mode of the ship's operations in the Eastern Arctic and are the reuirements for Antarctic operations also being considered in the design?

Answer. The extent of Arctic East icebreaker operations includes missions in support of DOD resupply efforts in Greenland, support of DOD and other federal agency's scientific and research projects on the often ice-laden waters around Greenland as well as various secondary support missions such as minor aid to navigation work and assorted logistic support.

Requirements for Antarctic operations are being considered in the design; however, the limited endurance of this icebreaker will require judicious planning of any Antarctic deployment.

Mr. OBERSTAR. One final comment.

Again underscoring what Chairman Biaggi stated earlier, I do think it is unfortunate for the lakes that the Coast Guard did not concur in their decision of 3 or 4 years ago in an icebreaker. Had that been done, the icebreaker would be in service on the lakes at lesser cost than the one now being proposed and performing the duties required.

Thank you, Mr. Chairman.

Mr. BIAGGI. Admiral, we thank you for your testimony. You have been candid, responsive, and a number of members indicated that they have some questions to submit to you for your response in the record, as I have. With that, we thank you very much.

[The following was received for the record:]

QUESTIONS SUBMITTED BY MR. BIAGGI AND ANSWERED BY ADMIRAL HAYES

Question. Why did the Coast Guard elect to take additional budget cuts in the amount of $3 million from its commercial vessel safety and outer continental shelf inspection programs, instead of from other lower-priority programs?

Answer. The emphasis in identification of budget reductions was to minimize impact on public safety. The Coast Guard has limited discretion in identifying activities due to the congressionally mandated nature of many functions. Mid-period inspections are not mandated and, of the alternatives available, contribute less, in my judgement, to safety at sea than do other missions.

The most essential inspections on the OCS will continue to be performed by the personnel provided in fiscal years 1978 and 1979.

As you know, retention of personnel is a serious problem. Our identification of budget reductions considered potential disruptions and financial hardships that would be caused. Since the fiscal year 1980 OCS personnel resources had not yet been assigned when the need for identification of budget reductions developed, relinquishing these resources caused less disruption both to the lives of our people as well as other necessary and on-going activities.

Question. What impacts will these projected cuts have upon the safety of marine transportation and outer continental shelf oil and gas activities?

Answer. The precise relationship between given levels of effort and their results in safety are imprecise, often unquantifiable, and difficult to define. I believe the reductions taken, when compared with other safety activities and services we perform, will have marginal impact upon safety of marine transportation and OCS activities at present. Utilizing management tools such as the interim MSIS, we will identify those areas of commercial shipping which are particularly accident prone. Available inspection staff will concentrate efforts in such trouble spots. Mid-period inspections of ships and unmanned platforms on the OCS will no longer be scheduled.

Question. We have requested the Coast Guard to review and reconsider all related matters with respect to the revision and improvement of laws relating to the shipment, discharge, and protection of seamen. This was the result of our hearings on H.R. 5908. What is the Coast Guard doing to comply with our request? Could you provide any timetables? Have you met with maritime labor yet? Do you contemplate holding joint executive, industry, and labor meetings?

Answer. In response to your request the Coast Guard is currently working on a re-draft of H.R. 5808, taking into account the comments made during the hearings. There is presently no projected timetable regarding completion of this effort, however, completion in time for presentation at the next Session of Congress is anticipated. The Coast Guard has not yet met with maritime labor. As indicated by my letter of 23 July, the Coast Guard is planning to arrange a meeting of the interested and affected parties.

Question. When will the COMDAC software design package contract be let for the medium-endurance cutter—and when will the COMDAC system be available for installation on board the first vessel?

Answer. Award of a cost plus award fee contract for development of COMDAC system software is expected in the Second Quarter Fiscal Year 1981. A first increment software package should be available in Fourth Quarter Fiscal Year 1982. Full capacity software should be delivered in First Quarter Fiscal Year 1984.

Question. How will this delay affect the operational deployment and/or effectiveness on the first two vessels of this class?

Answer. With several temporary adjustments, there should be limited adverse affect due to the absence of COMDAC software on either operational deployment and/or effectiveness. However, until full capacity software is delivered, wartime effectiveness will be far below that intended in the original design.

The absence of COMDAC system software has made necessary the temporary installation of manual plotting tables and status boards. It may also be necessary to add as many as seven enlisted personnel to ships company.

Without software but with these temporary additions, the 270′ WMEC will possess approximately the same level of operational capability as the 210′ WMEC. With software, the 270′ WMEC will be more effective than the 210′ WMEC and will possess the capabilities required for effective wartime/contingency task performance in the environment expected to exist through the turn of the century.

Question. To what extent have budget cuts in the Coast Guard's marine environmental protection program required necessary reprogramming of resources and shift in emphasis from oil spill response to necessary cleanup and removal operations at abandoned hazardous waste sites?

Answer. Our involvement in hazardous waste site response is of recent origin and has not yet, with the exception of isolated cases, had a significant direct effect on our ability to respond to oil spills. However, increasing public awareness is likely to result in a dramatic increase in the reports of all hazardous substance spills, including those from hazardous waste sites. Unless additional resources are provided for response to these incidents, our ability to respond to oil spills will be adversely impacted. The results of budget cuts, thus far especially travel restrictions, have been a reduction in our routine preventative activities such as monitoring product transfers and routine boarding programs.

Question. What additional resources do you anticipate will be needed in the future to provide adequate response capability for spills of hazardous substances in navigable waters?

Answer. We expect a future increase of more than 15 times the number of chemicals spills currently reported to us. Our goal is to respond to every report, identify the hazard, stop the source and monitor to insure that adequate removal actions are taken. The actual cleanup would be done by contractor where the capability exists in the commercial sector. We plan to provide our personnel with protective clothing, plugging/patching equipment, and hazardous substance detection, identification, and quantification equipment, and estimate that about 245 personnel and $1.3 million could be needed in the near future to respond to hazardous substances spills.

Question. When do you intend to submit the National Maritime Search and Rescue Program Facilities Plan to the Congress for review? Does the plan provide for the effective utilization of Department of Defense Assets in the conduct of Maritime Civil Search and Rescue? Does the plan implement the Coast Guard's domestic responsibilities under the recently ratified International convention on maritime Search and Rescue, 1979? What impact will implementation of the plan have upon future Coast Guard response to so-called "Convenience SAR Cases"? What implications does the plan have for the future relocation of Coast Guard SAR Facilities in response to seasonal operating requirements?

Answer. The National Maritime Search and Rescue Program Facilities Plan has been prepared and is being submitted to your committee at this time. This plan makes effective use of the Department of Defense resources. The Coast Guard's domestic responsibilities under the recently ratified International Convention on Maritime Search and Rescue, 1979 have already been implemented. This plan supports the implementation. Mr. Chairman we in the Coast Guard have some problems with the term "Convenience SAR". We recognize varying levels of urgency in SAR cases; but let me assure you there is no such thing as a convenience response in our lexicon. For your information the implementation will have no effect on future Coast Guard response to SAR cases, irrespective of their level of urgency. Finally this plan has little effect for the future relocation of Coast Guard SAR Facilities in response to seasonal operating requirements.

Question. Can you brief the subcommittee on your recently revised statement of policy regarding the Coast Guard's role in port safety and security contingency planning in response to Executive Order 11490 and 11921?

Answer. The Coast Guard has not altered its established policy regarding the Coast Guard's role in port safety and security contingency planning. Executive Orders 11490 and 11921 reenforce the Departmental and Coast Guard responsibilities to exercise leadership in transportation matters affecting the national defense and national or regional emergencies. This role is consistent with our described policy regarding our field involvement in port contingency planning.

In fact, Mr. Biaggi, the Coast Guard policy, regarding port safety and security contingency planning, as enumerated in the Coast Guard Marine Safety Manual (CG-495) and Natural Disaster Preparedness Plan, CG-368-2, points out the need for coordinated plans of action prior to actual emergencies. District commanders, Captains of the Port and commanding officers of other units as directed by the district commander, are required to insure that ports within their jurisdiction have current and effective contingency plans, supported by the port community, to provide adequate response by the available Federal, State, municipal resources to fires and other port and waterway incidents.

Question. A regulatory proposal with respect to licensing of federal pilots will require a showing of recency of service for renewal of pilotage endorsements. Why does the Coast Guard feel this is necessary? Have there been any problems with the existing pilotage endorsement system; and, if so, what are they? Has the existing pilotage endorsement system caused any casualties?

Answer. This regulatory proposal is based on a provision of Section 4 (Improved Pilotage Standards) of the Port and Tanker Safety Act of 1978. Among other items to be considered in the issuance or renewal of a pilots license is the stipulation that the pilot "maintains adequate knowledge of the waters to be navigated * * *". It is the Coast Guard's opinion that a regulation requiring recency of service in a geographical area is the proper regulatory implementation of this mandate. Under the prior system, a pilot could renew his license for a particular route but may not have navigated those waters for many years. Our casualty records do not indicate this is a particular problem. However, I do think the recency requirement will insure the pilot stays aware of various changes in aids to navigation, channels depths and configurations, and a host of other associated factors, all of which directly contribute to safe navigation.

Question. We hope to have H.R. 1196, the vessel documentation bill, enacted during this Congress. What has the Coast Guard done, or propose to do, with respect to revision of the procedures and forms that this legislation will require?

Answer. A project coordinator has been assigned and a task group formed to assess the affected regulations in Subchapter G of Title 46 CFR. A forms analyst is presently reviewing all documentation paperwork to consolidate and revise forms as necessary. Coordination with the Marine Safety Information System staff is underway to determine the feasibility of incorporating certain vessel documentation data into that system. An informal survey of selected documentation officers is planned to identify shortcomings and inconsistencies of vessel documentation procedures at the grass roots level.

Question. Regulatory action has been proposed that centers on tank barge construction standards for new and existing tank barges. This program started somewhere in the mid-1970's. What is the present status of this regulatory program? What are some of the problems associated with this program? What sort of comments have been offered by industry? What sort of comments have been offered by environmental interests?

Answer. A notice of proposed rulemaking requiring double hulls on new oil tank barges was published on 14 June 1979. An advance notice proposing retrofit of double hulls on existing oil tank barges by their 20th anniversary was published on the same date. The comments received from industry generally opposed the proposals, but serve to identify the major problem areas. A study commissioned by the American Waterways Operators asserts that the incremental costs would be 1.5 to 2.4 times the Coast Cuard estimates. Forced attrition, which would shorten the time before the program benefits would be noticed, would result in an equity decrease for some barge owners and could make borrowing for new construction difficult. Further, the industry felt that the Coast Guard had not adequately evaluated the other available alternatives. The few comments received from environmental interests supported the proposal, some suggested shortening the attrition period and extending the double hull standard to all tank barges. In light of the comments received the Coast Guard determined that further study of the problem and alternatives was necessary. The National Academy of Sciences was contracted to conduct a workshop and prepare a report on tank barge oil pollution. The final National Academy of Sciences report is due on 31 January 1981. Further regulatory action is deferred pending review of the Academy's report by the Coast Cuard.

Question. We were at one time made aware of the Coast Guard's desire to amend the law with respect to the suspension and revocation procedures, Coastwise Loadline Act, and Bridge Acts. What is the status of these legislative proposals?

Answer. Legislative proposals to revise suspension and revocation procedures and to amend the Coastwise Loadline Act are currently being drafted and are expected to be circulated within Coast Guard Headquarters next month for substantive analysis of their value and a decision as to whether their concepts are sufficiently developed to be submitted to the Congress. If they are, and we expect them to be, they will be submitted to the Office of the Secretary of Transportation for Administration clearance in October.

There are presently four bridge proposals under consideration within the Coast Guard. A proposal to eliminate the requirements for bridge permits over bodies of water which are not navigable in fact, and are navigable in law only by virtue of the "historic use" legal theory, has been approved in policy concept and is in the drafting stage. We expect to submit it to the Office of the Secretary for Administration clearance in October. A proposal to provide civil penalty sanctions to deal with violations of federal bridge acts has been similarly approved in concept. That proposal has been drafted and is presently undergoing final review in the Coast Guard Headquarters clearance process. A third conceptual proposal, to clarify the Coast Guard's authority to initiate (33 U.S.C. 502) bridge removal or alteration action is of low practical import but is expected to be ready for submission to the Office of the Secretary by the end of this year. Finally, Mr. Chairman, a bridge act dealing with the Coast Guard's authority to construct or alter bridge fender systems on a cost sharing basis is in a final draft stage, but, inasmuch as a substantially similar provision is included within the Water Resources Project Authorization Bill, (H.R. 4788), which has already passed the House, we intend to delay the clearance of our own proposal while we monitor that bill's fate.

Question. With respect to port safety and vessel safety, I believe Congress has provided the Coast Guard with considerable inspection and control authority that is fully consistent with the President's Initiative of March 1977.

Are there any problem areas that you feel require legislative solutions to fully implement the President's initiative? Are there any problem areas that you feel require legislative solutions that were not included within the President's initiative?

Answer. I feel that with the passage of H.R. 6665, sufficient legislative tools will be available to fully implement the President's Initiative. No additional problem areas have been identified which require legislative solutions. The Ports and Waterways Safety Act, as amended, has provided a broad grant of authority to regulate vessel navigation, vessel and waterfront safety and protection of the marine environment.

In addition, Mr. Biaggi, in order to fully implement all aspects of the President's Initiative, proposed legislation was transmitted to Congress on 26 April 1979 that would implement the Protocol of 1978 relating to the International Convention of the Prevention of Pollution from Ships 1973. The proposal which will authorise the Coast Guard to enforce the MARPOL Protocol, was introduced to the House on 28 Februay 1980 (H.R. 6665). These Protocols, when in force, will raise the safety and pollution standards for all tankers worldwide.

Question. What is the target date for putting the New York VTS into full operation? What difficulties remain to be resolved before the VTS can be fully implemented?

Answer. We have accepted from the contractor all of the systems in the New York Vessel Traffic Service, except the Vessel Information System, a computer. We are in serious disagreement with the contractor over the acceptability of the ocmputer. Since an acceptable computer is essential if we are to operate VTS New York as it is presently constitued, I cannot provide you with a target date for full implementation. We are retaining, in the interim, sufficient personnel to provide for management of the New York anchorages and to assist the Captain of the Port in emergencies. The system will be placed in operation as soon as possible, and we are exploring ways to provide a service without the computer.

Question. What response from industry and maritime labor has the Coast Guard received from its issuance of "Navigation and Vessel Inspection Circular Number 5-80" containing recommended procedures for control of asbestos hazards on board U.S. flag merchant vessels, outer continental shelf oil gas facilities, and deepwater ports?

Answer. We have received very favorable response from labor, management and other government agencies in regard to NVC 5–80. It appears to have served its intended purpose, that is, to spur voluntary compliance with stnadard safe working practices and respiratory protection measure plus announcing our concerns and intentions with regard to future regulations in the area.

Question. What is the status of the Coast Guard's intended rulemaking regarding asbestos exposure on board U.S. flag merchant vessels?

Answer. A two part work plan regarding asbestos has been approved by the Marine Safety Council. For the short term, Part A, A Notice of Proposed Rulemaking (NPRM), will be ready for publishing this fall detailing safe work practices, clean-up and disposal of asbestos residues, respiratory and protective clothing for crewmen when any work is conducted on asbestos-containing materials, generally following NVC 5–80. Exposure limits will not be set in the proposal in order to avoid time consuming debate over threshold limit values (TLV's), exposure durations (8 hours versus 24 hours). This approach appears most acceptable by the marine industry, will avoid adversary-type enforcement and provide maximum protection. Part B of the project will considere the long term or ambient conditions on vessels and incorporate the findings of the several sampling and monitoring studies currently in progress.

Question. What impact, if any, do you expect the recent U.S. Supreme Court decision in the *Industrial Union Department, AFL-CIO* v. *The American Petroleum Institute* case will have upon asbestos standard-setting in the shipboard environment?

Answer. This decision is not expected to adversely impact on Coast Guard rulemaking. As with our benzene exposure standard which remains valid at 10 PPM, the asbestos standard will be reasonably attainable wihout requiring large expenditures of money. Rip-out will not be required. We are estimating that each vessel or unit will only require approximately $2,500 initially to comply. Emphasis will be on repair and maintenance of deteriorated asbestos and replacement with nonasbestos materials when practicable, in addition to standard work practices, clean-up and administrative controls.

Question. What is the status of the Coast Guard's vessel traffic monitoring of the Alaskan traffic trade between Valdez and the West Coast, using satellite retransmission of Loran–C generated position information? What is the anticipated cost of implementing this system?

Answer. The Coast Guard does not monitor tank vessel traffic between Valdez and the West Coast. A system of nationally recommended tracks was placed in effect in 1977. The tracks extend from the Gulf of Alaska, to the Strait of Juan de Fuca in the Pacific Northwest, and to the Santa Barbara Channel.

The Coast Guard is in the process of developing and installing a tracking system for the Prince William Sound area based on retransmission of Loran–C derived positions. This is in support of the VTS at Valdez. An NPRM for performance standards for shipboard units is expected in November 1980, and a final rule by May 1981. Prospective users will be unable to comply until shipboard units become available.

Communications will be by existing VHF-FM links, not by satellite. However, we are studying the use of meteor burst technology for communications and expect a study report in early to mid 1981.

The total development cost since 1976 has been about 325 thousand dollars. Shipboard unit cost will be about five thousand dollars per unit but could vary widely, depending upon the number of vessels which will be purchasing the units.

Question. What were the results of the Coast Guard's operational test and evaluation of vessel tracking monitoring and management conducted in June 1979 in Chesapeake Bay, utilizing the National Aeronautics and Space Administration's (NASA) application technology geostationery satellite, ATS-3?

Answer. The final report has not been completed yet. The system does work, is relatively inexpensive, and has low power requirements. However, ATS-3 is used only for experimental purposes and is going beyond its designed lifetime.

Question. Some concern has been expressed over the Coast Guard's increased involvement in salvage operations, which have been historically left to private enterprise. We are advised that the Coast Guard is, or will be, evaluating the feasibility of establishing in-house salvage/marine environmental protection capability for the Atlantic, Pacific, and Gulf coasts. Could you provide us with an insight into the thinking behind such a feasibility study?

Answer. The salvage industry's capabilities have diminished markedly in recent years. Ten years ago there were six U.S. Flag salvage ships, today there is one in the Northwest and its has no towing capability. To further compound the problem, the volume of merchant vessel tonnage lost worldwide has risen every year in the past decade. The situation now exists where the U.S. Salvage industry is severely limited at a time when ship losses are at all time peaks, and when the nature of the pollution risk requires, more than ever, a prompt response.

The Navy is the designated national agent for salvage. The Navy will respond when available, to public and private marine casualties when the request is direct and appropriate and is not in competition with civilian salvage companies. However, the Navy Supervisor of Salvage reported in October 1979 that the number of Navy salvage and rescue towing ships has also declined over the last decade from 60 to only nine. We must, of course, also keep in mind that Title 46 U.S. Code 316 prevents any foreign vessel from engaging in salvage operations in U.S. Waters.

As a result of this decline in salvage capability, the number of experienced salvage personnel both in the military and in the civilian community has decreased. This is the most serious concern. Vessels and equipment can be obtained in a relatively short time period, but it takes years to develop a salvor.

As you are aware, the Coast Guard has mandated responsibilities for marine safety and marine environmental protection activities on the outer Continental shelf. Specifically:

The Clean Water Act of 1977, the National Oil and Hazardous Substances Contingency Plan, and the OCSLA Amendments require the Coast Guard to respond to and investigate pollution incidents in the navigable waters of the U.S., adjoining shorelines, the contiguous zone or in connection with activities under OCSLA, or affecting resources under the exclusive management authority of the United States.

Congress has recognized the fact that a fine line exists between pollution response actions and our more traditional marine search and rescue mission with the enactment of the 1977 amendments to the Clean Water Act, which gives us authority to respond to a threat of a polluting discharge. Title 33 U.S. Code 1474 in addition provides the Secretary of Transportation with authority to undertake salvage operations upon determination that a grave and imminent danger to the coastline exists.

In light of the national salvage situation and the responsibilities placed on the Coast Guard, we are studying the feasibility of upgrading our ocean towing capabilities. The capability is to be used for emergency or rescue towing and not in competition with commercial companies. This upgraded capability would enable us, in certain circumstances, to stabilize a situation where a vessel is in peril until commercial assistance arrives, or to rapidly remedy a situation in the absence of commercial assistance and prevent a pollution incident from occuring.

In addition, we have established and maintain a National Strike Force under the authority of our mandates. This National Strike Force consists of personnel and equipment specially trained and suited to respond to pollution incidents. It includes personnel trained in ship salvage and diving techniques. This team, whose capabilities are planned to be upgraded, will provide us with the ability to quickly respond to, and assess actual and potential pollution incidents involving distressed vessels. Again, our aim is to stabilize a situation until commercial assistance arrives or provide a quick remedy to prevent a pollution incident from occurring.

Question. The Port and Tanker Safety Act requires the establishment of a marine safety information system on all tankers—foreign and domestic. What is the status of this system? How many substandard tankers has it been able to uncover? What is the present scope of the Coast Guard's foreign tanker boarding program?

Answer. The Contract for the Development Phase of the Marine Safety Information System (MSIS) is essentially completed, and a prototype system has been successfully demonstrated. The Test and Evaluation Phase, to involve several Headquarters Divisions and the Eighth Coast Guard District, is scheduled to begin on 15 August 1980. The estimated duraton of this Phase is eight months. contract negotiations are underway for the conversion of the MSIS software to Coast Guard computers and terminals. Following the successful conversion to Coast Guard equipment, prompt implementation of MSIS throughout the remaining Coast Guard Districts is planned. Data from the existing Interim MSIS will be included in the long range system described above, as well as information now contained in the Foreign Tanker Boarding File. Current problems which may slow implementation of the MSIS include delays in procurement of the "Coast Guard standard" terminal equipment, and a lack of positive legislative action toward passage of the Vessel Documentation Act (H.R. 1196).

The MSIS is not yet operational and therefore has not identified any substandard tankers.

In the first three years (January 1977 through December 1979) of this program, 5,385 exams of approximately 1,700 different foreign tankers have been conducted by Coast Guard personnel. Of these exams, 2,857 yielded a total of 13,416 deficiencies. These discrepancies ranged from not having up-to-date nautical publications on board to a serious structural failure. Presently, the growth in the number of exams and deficiencies is leveling off as the Coast Guard approaches a 100% coverage of all foreign tankers and repeat boardings garner the desired compliance with our regulations.

Question. The Port and Tanker Safety Act requires any vesel, foreign or domestic, that is over ten years of age to undergo a detailed inspection of structural strength and integrity. How many foreign flag vessels have undergone this special inspection? How many foreign flag vessels have failed this special inspection?

Answer. The specific requirements for the special examination of vessels over ten years of age have not been finalized. Domestic vessels' structural strength and integrity are thoroughly inspected every two years. The requirements for foreign vessels have not been completed as the Coast Guard intends to insure our requirements are in step with those of IMCO. While a strong, protective standard is desired, it must be in keeping with this nation's treaties and agreements.

Question. The Port and Tanker Safety Act established stringent construction and equipment standards for U. S. flag tankers and foreign tankers entering U. S. ports. These standards are to be enforced beginning in June 1981. What progress is being made by shipowners toward meeting these standards by the deadline?

Have you detected resistence on the part of shipowners in complying with these standards? If so, are U. S. shipowners resisting, or foreign shipowners, or both?

Can you provide estimates of the costs involved in meeting those construction and equipment standards? Does the Coast Guard have the resources necessary to enforce the standards when they become effective?

Answer. The shipowners appear to be making a conscious effort to comply. New vessels contracted for after 1 June 1979 are being built to comply with the standards. Owners of existing tank vessels are starting to retrofit to meet standards that have June 1981 and June 1983 deadlines, however long lead time for some equipment procurements may result in some problems meeting the June 1981 deadline. Almost no retrofitting has occurred to comply with standards requiring segregated ballast tanks, dedicated clean ballast tanks, or crude oil washing on 15 year old or older vessels in the 20-40,000 DWT range which has a January 1986 deadline.

There does not appear to be a great deal of resistance to the standards that have the 1983 or earlier deadlines, probably because they reflect international standards. Owners of both U. S. and foreign flag vessels have expressed unhappiness with the standards for 20-40,000 DWT vessels that are 15 years old and older.

The cost of compliance with the standards that have the 1983 or earlier deadlines was estimated to be 300 million dollars for U.S. flag vessels and 2.1 billion dollars for foreign flag vessels.

When the standards become effective, there will be a heavy initial workload requirement involving a substantial effort on the part of the Coast Guard Marine Inspection personnel. After the initial urge, which I feel we can mostly handle with existing personnel, routine periodic inspection cycles would be developed and the additional workload could be absorbed with a small increase in overall Coast Guard strength, estimated to be about 50 persons.

Question. I understand that you plan to reestablish the Marine Safety Office in Singapore. When will the office be reestablished and in full operation? What difficulties, if any, remain to be resolved?

Answer. The office will offficially open on 1 September 1980 and is scheduled to be fully functional by late November 1980. In the interim, inspections are being conducted by Coast Guard personnel assigned on temporary duty. There does not appear to be any major difficulties in reestablishing the office.

Question. On the Bell helicopter contract has Bell filed a lawsuit on that contract? If so what is the status of that case?

Answer. In July of 1979 Bell Helicopter Textron Division filed suit in Federal District Court alleging that the award of the Short Range Recovery Helicopter contract to Aerospatiale Helicopter Corporation was unlawful and void. On May 30, 1980 the Court issued a decision on the matter in favor of the Coast Guard, finding that the award of the contract was neither prejudicial nor violative of applicable statutes and regulations. Bell did not appeal that decision.

Question. I understand that single personnel on Coast Guard vessels do not reveive housing allowances and are expected to live aboard ship. Is this a matter of law or policy, and how does it affect your personnel? Would you be in favor of a change in that policy?

Answer. By law the Coast Guard is not authorized to pay a basic allowance for quarters (BAQ) to members without dependents who are on sea duty for periods of 3 months or more. The Coast Guard is supportive of efforts to expand BAQ entitlement such as H.R. 7626 (Military Pay and Allowance Benefits Act of 1980). Additionally, we are actively seeking to amend statutory authority along two avenues: (1) to allow payment of BAQ to all members afloat; or (2) provide subsidized leased housing ashore to all single personnel assigned to sea duty. These amendments would rectify an inequitable situation which Coast Guard personnel without dependents who are assigned to sea duty currently endure. A cramped living space, consisting usually of a bunk, a locker and a sea bag, lacking in privacy and in most cases, greatly overcrowded, is the only home such a member is provided. Unlike their married counterparts, who may disembark for more livable Government-provided or subsidized quarters ashore when their vessel returns to port, unmarried members receive no similar consideration. In the Coast Guard's view, the discriminatory treatment imposed upon its unmarried seagoing personnel by this lack of alternative home-port berthing accomodations is not justified by vessel mission requirements. The unmarried member's inability to escape the relatively strict military regimentation for shipboard life on off-duty evenings in port is a substantial disincentive to a career in a seagoing specialty.

Question. The Outer Continental Shelf Lands Act provides the Coast Guard with broad regulatory power over the safety of personnel working on drilling rigs and fixed platforms. What is the status of the regulatory efforts in OCS safety?

Answer. On 1 May 1980 the Coast Guard proposed rules that extend existing safety requirements or their equivalent to all Mobile Offshore Drilling Units operating on the OCS. Previously foreign flag and some smaller U.S. flag units were exempt from coverage. The same Notice implements the general requirement of the Act that responsible persons maintain workplaces free from recognized hazards to personnel. Another effort in progress addresses crane operator qualifications and standards for offshore crane design inspection and testing. An Advance Notice of Proposed Rulemaking on these topics was published 10 January 1980 and proposed rules will be published this fall. General marine occupational safety standards and noise and asbestos standards that will apply to OCS activities are also being developed and will be supplemented with special provisions for OCS facilities including drilling and workover operations. These standards will be published as notices of proposed rulemaking this winter. Existing Coast Guard regulations for fire protection and lifesaving systems are being reviewed and will be updated to improve personnel safety in emergencies. A Memorandum of Understanding (MOU) is also being developed by the Coast Guard and Geological Survey, to clarify the safety responsibilities of each agency and provide better coordination. In should be made effective by October 1980.

Question. I understand that you are considering the establishment of an Emergency Medical Communication Center in Coast Guard Headquarters (Flag Plot). It would seem that such a Center would respond to several needs: the operational need of the Coast Guard by reducing the number of MEDEVACS, the economic needs of shipowners by curtailing unnecessary diversions, and the medical needs of seafarers. What is the status of the proposal to establish such a Center? If the Center is to be established, what is the timetable for implementation? What obstacles, if any, stand in the way of implementation? Is legislation required or desirable?

Answer. The concept of establishing an Emergency Medical Communications Center in Coast Guard Headquarters is currently under study. We expect to complete this study within three months. Legislation is not considered necessary as establishment of such a center would come under the purview of existing legislation.

QUESTIONS SUBMITTED BY MR. YOUNG AND ANSWERED BY ADMIRAL HAYES

Question. Referring to the drain on resources caused by the Cuban incident and to the GAO Report on the limited Coast Guard resources, would you comment not only in terms of manpower and ships and aircraft, but particularly regarding the adequacy of fuel? How has fisheries enforcement been affected?

Answer. The Cuban Refugee Operation, requiring a drawdown of resources from other geographical areas and missions, has demonstrated that the Coast Guard does not have sufficient flexibility to respond to a major crisis without seriously disrupting our ability to perform other mandated missions.

Until the Cuban Refugee operation is terminated there will continue to be a great impact on Coast Guard resources and missions. The most notable impact has been and will continue to be on Coast Guard law enforcement missions. Nearly 640 cutter patrol days will have been diverted from drug law enforcement patrols during fiscal year 1980. This has reduced Coast Guard drug law enforcement effectiveness by 83 percent. At this level of operations we will fail to interdict aproximately 1½ million pounds of marijuana this fiscal year, with a street value of $960 million. Surface and air patrols in support of fisheries law enforcement have been reduced by an average of 50% on the East Coast. Approximately 89 violations of the FCMA will not be detected because of this reduction. Future patrol requirements, including the opening of additional foreign fisheries areas in August, domestic fisheries enforcement of groundfish quotas due to the closure of this fishery in early August, and the potential conflict in Northeast George's Bank over the U.S.-Canadian fisheries dispute, may be impossible to meet.

Question. Would you detail for us what types of criteria are used to determine whether or not a boarding should be conducted when requested by another agency, or is a boarding based merely upon that agency's request?

Answer. To avoid confusion I must point out that your question relates only to criteria for boarding at the request of another agency and not to the actions taken once aboard, whether it be confirmation of documentation, administrative inspection or search. Prior to conducting any boarding the Coast Guard requires that there be appropriated jurisdiction over the vessel (i.e. that it is of U.S. registry, or within territorial or customs waters of the United States or if engaged in fishing or harvesting of seabed resources that it be within the fisheries conservation zone or on the Continental Shelf.)

The local command has discretion to react to other agency requests if the purpose of boarding relates to an activity that the Coast Guard has jurisdiction to enforce or over which the Coast Guard has established an interagency agreement in accordance with 14 USC 141. The purpose of the boarding, narcotics interdiction, fisheries management, etc. will determine the extent of information required prior to boarding in criminal law enforcement. There needs to be some degree of knowledge as to conduct creating a reasonable suspicion or establishing probable cause. Otherwise the boarding is limited in the degree of intrusion. If there is no reasonable basis for suspicion of criminal activity the boarding is limited to movements necessary to ascertain identification and the maintenance of maritime safety requirements that the Coast Guard regulates.

If the boarding is conducted for a vessel underway, engaged in a heavily regulated commercial enterprise a boarding may be conducted at the request of a regulatory agency with substantially less information requirements. For instance, a boarding will be conducted upon a vessel engaged in federally controlled fisheries operations at the request of the National Marine Fisheries Service to insure proper participation in the fisheries.

Numerous boardings are conducted at the request of law enforcement agencies that channel information through the El Paso Intelligence Center. A lookout may be initiated which directs boarding. The lookout is not directed specifically at the Coast Guard but to all law enforcement agencies which may sight the vessel. The Coast Guard is mandated to enforce or assist in the enforcement of all applicable federal law upon the high seas and waters subject to United States jurisdiction (14 USC 2). To do so the Coast Guard is authorized to board vessels to insure vessel identification and compliance with applicable federal law. If the agency request is consonant with the mandate and if operations permit the Coast Guard will accept the request.

Question. What priority have you given mobilization, and what steps have you taken or directives have you issued to require general readiness in the Coast Guard for both wartime and domestic emergencies?

Answer. One of my objectives, in both the short and long term, is to maintain an effective, ready armed force prepared for and immediately responsive to specific tasks in time of war or emergency. Coast Guard readiness plans relating to war, civil disturbance, natural disasters, and NBC preparedness are under continuous review. Within the past 18 months I have directed that mobilization requirements be reviewed and updated and that there be a readiness evaluation of all Selected Reserve Training Units. The command post exercise program, especially Nifty Nugget, has caused major improvements in our understanding of the DOD Transportation Operating Agencies problems. As a result of this understanding, we have taken a number of internal actions. We have established Reserve billets to provide peacetime planning and wartime liaison in the operations centers of the Military Transportation Management Command, Maritime Administration, Defense Fuel, Military Sealift Command, and the National Marine Fisheries Service. We have presented briefings at the DOD Readiness Command (REDCOM) sponsored "Joint Surface Movements Board" which have made the planning staffs at Transportation Operating Agencies and Commander in Chief, Atlantic and Pacific Fleets more aware of the Coast Guard's regulatory programs and capabilities. We have developed a cadre of senior reserve officers, who in addition to having regulatory expertise, are being cross-trained as readiness specialists in sealift mobility problems. We are developing the capability to process and analyze the Transportation Operating Agencies' computerized movement tables produced by the Military Sealift Command in support of Coast Guard planning for not only the Port Safety and Security and Commercial Vessel Safety Programs, but for forecasting requirements of military Search and Rescue in support of the CINCS as their coordinating agent.

Question. I understand that there is a growing number of Coast Guard Reservists in Alaska and that, with this growth and the mobilization needs in that critical area, more emphasis will be placed on the Reserve program in Alaska. Would you comment on this development?

Answer. In late 1976 we completed a study to help determine the feasibility of establishing a Coast Guard Reserve Unit in Alaska. This study identified 27 officers and 64 enlisted reservists living throughout Alaska with some concentration in Anchorage and Juneau. By 1 October 1980 we will have established an experimental unit at Juneau consisting of four officer and seventeen enlisted personnel. The unit's size will be adequate to provide meaningful support to the regular Coast Guard and its location will afford meaningful training opportunities for the region's mobilization mission. Our analysis indicates it is unlikely any substantial growth will occur due to the limited numbers of personnel in the area and competition from other Reserve components.

Question. In your judgment, what is the readiness level or mobilization potential of the Coast Guard Reserve? In other words, will the Coast Guard be able to respond and provide all the manpower necessary for mobilization?

Answer. In my judgment the readiness of individuals in the Selected Reserve is excellent. In fiscal year 1980 we have overcome previous personnel shortfalls, and we are now above the Congressionally mandated floor of 11,700. We will also end the year with an average annual strength equal to or greater than the maximum budgeted level of 11,700. However, the current mobilization requirement for 22,000 personnel within the first 30 days cannot be filled by our Ready Reserve Forces at the budgeted level. We feel that a Selected Reserve of 15,500 and an Individual Ready Reserve of 13,000 are required.

Question. How many more personnel and dollars are needed to adequately plan for and maintain a high state of mobilization readiness in the Coast Guard?

Answer. In order to increase the Selected Reserve From 11,700 to 15,500 and the Individual Ready Reserve from 8,000 to 13,000 the Coast Guard will require an additional 131 full-time billets and an increase of $12.5 million over current level.

Question. What is the status of Coast Guard ordnance, equipment, and logistics aboard ship in comparison with the current requirements for mobilization as part of the Navy in time of war?

Answer. There are four classes of major cutters tasked with Navy missions in wartime; the Hamilton-class High Endurance Cutter (378′ WHEC), the new Bear-class Medium Endurance Cutter (270′ WMEC), the Reliance-class Medium Endurance Cutter (210′ WMEC), and the ocean going buoy tender (180′ WLB).

The 378′ WHEC is equipped for ASW with a medium range sonar and torpedoes. These equipments are adequate but well under current capabilities for similar weaponry. Its primary surface weapon (5″/38), however, dates prior to World War II. The fire control system is almost 30 years old. The 378′ WHEC relies on the antiquated mount and machine guns for both anti-air and anti-surface defense. It is thus unable to adequately meet current requirements for mobilization except in an extremely low threat environment. The class is approaching mid-life and in need of modernization.

The new 270′ WMEC is scheduled to receive the necessary ordnance, equipment and logistics to adequately meet its requirements for mobilization as part of the Navy in time of war.

The 210′ WMEC is armed with a 63 year old gun mount (3″/50). It is unable to meet the current requirements for mobilization. This class is also approaching mid-life and in need of modernization.

The ocean going buoy tenders are equipped with machine guns and marginally able to perform current requirements for mobilization in an extremely low threat environment.

Question. Can you describe the training program for the Coast Guard Reserve for preparation to mobilize? I understand that the Reserve Training Center in Yorktown, Virigina is gradually being phased out as a Reserve Training Center. Could you comment on the level of Reserve training conducted at that station compared to other training and activities being conducted there and the Coast Guard's plans for its future use as a Reserve Training Center? Is the Commanding Officer a Reserve officer and, if not, are there plans to assign a Reserve officer to that billet?

Answer. Once they have completed initial training, which includes bootcamp and usually a specialty school, all Coast Guard Selected Reservists are scheduled for 48 drills and 14 days active duty each year. The majority of that time is spent augmenting the active service. This type of "hands on" mobilization training provides great morale and training benefits to the individual reservists; however, some formal training is required to ensure proper breadth of training experience. Reserve Training Center Yorktown and other Coast Guard training facilities are utilized in the formal training of reservists on active duty for training. We are not phasing out the Reserve Training Center, but we do not use Yorktown exclusively for Reserve training. It is more cost-effective to embed 14-day Reserve training sessions within active service schools elsewhere than it is to operate separate Reserve schools which deal with the same subjects. For this reason we presently train reservists at practically all Coast Guard training facilities, and we encourage certain active service schools to locate at the Reserve Training Center. For instance, the three largest specialty requirements for mobilization are Port Securityman, Boatswains Mate, and Machinery Technician, and all three of these schools for active service and Reserve personnel are located at Yorktown. The success we have experienced with this type of facility utilization preordains our decision to continue in this manner for the foreseeable future. The Commanding Officer of the Reserve Training Center, as for all active Coast Guard operating units, will continue to be the most appropriate officer in our inventory of career active duty regular and Reserve officers. Although at the present time the Commanding Officer is not, two of the three most senior officers serving at Yorktown are career active duty Reserve officers.

Question. On April 24, 1980, a report was issued concerning the marine incident involving the T/V Prince William Sound, which was adrift in Prince William Sound on 17-18 January 1980. In reviewing this report, I noticed that SAR helicopter support was unavailable from Kokiak and that a helicopter dispatched from the Sitka Air Station arrived only after the situation was already resolved. Further, I noted that a private helicopter was on standby in Valdez. What cost was incurred by the Coast Guard to have this helicopter on standby status? Since a helicopter was on standby status, would a helicopter deployment of Cordova have been useful in this instance?

Answer. The helicopter which was on standby in Valdez when the T/V Prince William Sound incident occurred is operated by a commercial firm under contract by Alyeska. The helicopter is available to Aleyska on a 24-hour-per-day basis, and for this reason the Coast Guard did not request that the helicopter assume a standby status nor incur an expense for it being in a standby status. In any event, the commercial helicopter was not used. A Coast Guard helicopter at Kodiak had been dispatched on a search and rescue case elsewhere and was not available, therefore a helicopter form Sitka was dispatched to Valdez. The situation, however, was under control when it arrived. It was reported that weather conditions were so severe during the incident that neither the commercial helicopter nor any Coast Guard helicopter deployed to Cordova could have been effective during the critical stages of this incident.

Question. Since the Office of Navigation is now established, what plans or studies are being made regarding the implementation of all-weather electronics aids to navigation in harbor and river environments.

Answer. We are continuing the efforts initiated when Aids to Navigation was assigned to the Office of Marine Environment and Systems with one significant improvement. The first Chief of the Office of Navigation is a licensed Master Mariner. This assignment was made, in part, to insure that our efforts would be responsive to the needs of the maritime public.

We have completed our evaluation of the accuracy afforded by the Experimental Loran-C chain in the St. Marys River, between Lakes Superior and Huron. The analysis indicated that the total system, including on-board guidance devices, can allow safe navigation of large vessels to an average accuracy of about 25 feet. The shipboard equipment to use this service will be installed on several ore carriers this fall. Upon completion of this demonstration, we will terminate operation of the experimental chain. This winter we will determine if we can achieve comparable results by using the operational Great Lakes Chain augmented with one of the existing St. Marys River transmitters. If this is successful we will make this additional station operational. This could be accomplished with the 1980 funds appropriated for the St. Marys River Chain, which are about half of what is needed to make the chain operational.

Our technology and procedures developed in the St. Marys River test bed are being expanded to meet other urgent needs for precise guidance. We are developing a carry-on Loran-C guidance system for Delaware River Pilots in response to their difficulties when ice interferes with normal visual and radar piloting techniques. The first operational unit will be delivered this fall and if it is acceptable to the Delaware Pilots we will assist them in having additional units manufactured.

Our next step is expanding the use of Loran-C in restricted waterways will be to conduct surveys and stability studies of selected harbors to determine the suitability of the existing Loran-C signals for precise guidance.

We are continuing to monitor the progress of other agencies and governments in addressing this problem. Although we have high confidence in the ability of Loran-C to provide in many restricted waterways, we recognize that other systems have significant potential.

Question. Recently, the Coast Guard announced plans to study, with other agencies, a new maritime patrol aircraft for SAR and law enforcement, with a view toward fuel-efficiency and varied capabilities. What is the status of this study? In view of escalating fuel costs, what is the fuel cost of operating the MRS aircraft and SRR helicopters? How does this compare in fuel costs to other aircraft, such as light, twin-engine aircraft, and in terms of mission capability?

Answer. The Coast Guard completed a joint study with the Naval Air Development Center to examine the applicability of lighter-than-air vehicles to various Coast Guard missions in December 1979. the study concluded that, if certain performance features could be incorporated in these vehicles, they could theoretically perform certain missions while enjoying a significant reduction in the consumption of fuel. Following this conclusion, the Coast Guard is exploring separate agreements with NASA, the Naval Air Deployment Center, and the U.S. Forest Service to build various lighter-than-air vehicles to determine if they are, in fact, applicable to our needs given the current state of technology in this field. The agreement with the Forest Service came about directly as a result of a FY-1980 Congressional mandate.

At current fuel prices and fuel consumption rates, the estimated cost of flying the HU-25A MRS aircraft is $370 per hour; the cost of flying the HH65A SRR helicopter is $120 per hour. Although a light, twin-turboprop aircraft would cost approximately $85 per hour to fly, it would not have the dash speed of the HU-25A to enable it to rapidly fly to scene at high altitudes. It also does not have the cabin volume, weight carrying capability, or electrical power generating capacity needed to carry an airborne sensor suite. Lacking these capabilities, the light aircraft is not suitable to perform the required missions.

Question. The recent hearing on the Rules of the Road bill, H.R. 6671, revealed that international rules rather than inland rules apply throughout Alaska. The new inland rules were developed with the particular needs and requirements of inland navigation. Does the Coast Guard anticipate making any regulatory changes to establish lines of demarcation which would make the inland rules apply?

Answer. The Coast Guard has no plans at the present time to establish lines of demarcation in Alaskan waters, nor do we anticipate making any regulatory changes which would make the new inland rules apply. The COLREGS demarcation lines were removed 1 May 1980 to eliminate confusion caused by the numerous inlets, rivers, and offshore islands, thereby increasing navigation safety. No requests to establish COLREGS demarcation lines anywhere in Alaska have been received from the public since their removal.

Question. In 1977, the GAO issued a report to the effect that increased coordination between Civil Law Enforcement Agencies, the Department of Defense, and the

Coast Guard could effect economies in the more effective use of the people and equipment for civil SAR and for SAR training. Pursuant to the GAO findings, the House Committee on Appropriations in 1978 directed the "The Coast Guard, in coordination with the Department of Defense, submit a plan which will provide the basis for more effective utilization of our nation's Search and Rescue resources". What is the status of this plan? Would it be logical to include provisions for the effective monitoring and surveillance of vessel traffic on a cooperative basis?

Answer. The National Maritime Search and Rescue Program and Facilities Plan has been prepared and is being submitted to your committee at this time. Inclusion of more effective methods to monitor vessel traffic on a cooperative basis should not be a provision of the facilities plan but should be sought separately. Search and Rescue is humanitarian in nature and depends upon voluntary cooperation both national and international. Accordingly it should not be used to provide a surveillance capability for enforcement purposes.

Question. Would cooperative planning make a significant contribution to mobilization contingency planning and to what might be classified as combat SAR in support of U.S. strategic sealift mobility?

Answer. The Coast Guard is deeply involved in cooperative planning within the DOD community. Additionally, we are in the process of reemphasizing within the service the importance of preparedness in the planning and execution stages of contingency and wartime operations. Recently I have directed our Area and District commands to formulate plans for conducting contingency and wartime operations. This involves working with many outside agencies, as well as being prepared to fulfill my role as Maritime Region Search and Rescue (SAR) Coordinator for Commander in Chiefs (CINCS) in Military SAR.

Question. I understand that to cope with the Cuban refugee stituation you had to effect the involuntary call-up Reservists. Who has the basic decisionmaking authority in such instances? Did the Office of the President interject itself into this process? For what reason?

Answer. For Cuban refugee operations Coast Guard Reservists were called to active duty involuntarily under the authority of Public Law 92-479 (14 USC 764). This legislation authorizes the Secretary, subject to the approval by the President, to involuntarily order Coast Guard reservists to active duty for the emergency augmentation for regular Coast Guard forces. The President approved the call-up on 3 June 1980. The original authority was subsequently extended to 30 September 1980.

Question. What was your initial assessment of additional manpower needs? What degree of recall was finally approved? Did this impede constraints on the effectiveness of this operation?

Answer. The initial request to the Secretary and the President was for authority to call up 2,500 officer and enlisted personnel for not more than 14 days active duty each. This equated to about 400 Reservists onboard at any one time over the entire period. We were subsequently authorized a callup of 900 Ready Reservists over a 6 week period, with no more than 300 on active duty at any one time. In the middle of July this authority was extended. Considering operational needs and available Reserve manpower, the authorized numbers were sufficient.

Question. What problems, if any, were encountered with this involuntary Reserve call-up?

Answer. No substantial problems were encountered as a result of the involuntary call-up. It is possible that reservists may encounter some employer-related difficulties.

Question. I understand that some Reservists were called up and sent to stations that were not impacted by the Cuban situation. Have you investigated this, and what were your findings?

Answer. The call-up of Coast Guard reservists was and is to provide direct support to the active service and to assist in providing normal services which otherwise would have been curtailed due to deployment of regular personnel and equipment to the Seventh District from other districts. Our implementing directive to the field was specific in regard to assignment of reservists to substantive duty. We are not aware of any Reserve personnel called up under this authority who were not or are not serving as intended.

Question. Do you have any plans to pursue icebreaking through the use of surface-effect vessels or hovercraft icebreakers?

Answer. At least for the immediate future we do not intend to pursue icebreaking through the use of surface effect vessel or hovercraft. During the winter of 77-78 the Coast Guard conducted extensive testing with contract and Army ACV's on the Illinois and Mississippi Rivers. The results of these tests indicated that while ACV's do indeed break ice, they are not effective in displacing ice, clearing a track and breaking irregular ice features (pressure ridges, rafting, etc). These are the tasks which are critical to our domestic icebreaking program and we feel they are accomplished best by conventional (displacement) icebreakers. We will continue to monitor ACV applications to icebreaking.

Question. What statutory or other authority do you cite as a basis for providing commercial icebreaking assistance?

Answer. The statutory authority from which the policy and facilities of the Coast Guard icebreaking mission receive support include:

One. 14 USC 2: "The Coast Guard—shall develop, maintain and operate, with due regard to the requirements of national defense—icebreaking facilities—for the promotion of safety on, under, and over the high seas and waters subject to the jurisdiction of the United States."

Two. 14 USC 141(a): Provides authority for the Coast Guard to use personnel and facilities to assist any "Federal agency, State, Territory—to perform any activity for which such personnel and facilities are especially qualified." For example, preventive flood control in cooperation with the US Army COE.

Three. In addition, Executive Order 7521 (21 December 1936): directs the Coast Guard to "assist in keeping open to navigation by means of icebreaking operations, in so far as practicable and as the exigencies may require, channels and harbors in accordance with the reasonable demands of commerce."

Question. Have you given consideration to Coast Guard chartering of commercial assistance when safety and environmental protection might also be factors to consider as the Navy does in their salvage of both public and private vessels?

Answer. The Coast Guard has traditionally used commercial assistance when available for cases involving salvage and/or environmental protection. We also call on the U.S. Navy for support of salvage operations involving both public and private vessels. These resources are generally not available for search and rescue cases, however, due to the rapid response that is necessary to save lives and property in distress.

Question. The 1936 Executive Order establishing a national policy for domestic icebreaking directs the Coast Guard to focus on six areas of concern: Keeping identified waterways open to navigation; as practicable; as the exigencies, or; sudden demands may require; for channels; for harbors; and in accordance with the reasonable demands of commerce.

Is your current policy focusing on principle waterways and traditional seasons in conformity with this policy?

Answer. Yes, our current policy does conform with the intent of executive order 7321. Further it provides for the conduct of icebreaking operations: (1) in support of flood relief, and (2) in cooperation with other agencies in an attempt to extend the navigation season, where studies have indicated that it is in the nations interest to do so.

Question. How do you determine or decide when commercial assistance is both available and adequate to meet the reasonable demands of commerce?

Answer. Presently, the Coast Guard Operational Commander determines the "availability" and "adequacy" of commercial icebreaking resources. The final determination of the operational commander is generally based upon his assessment of local ice conditions and the capabilities (adequacy) of available commercial icebreakers. Other considerations include the impact of major time delays, the urgency of the cargo delivered and, of course, any danger to life and or property.

Question. You predicate an extension of the navigation season in icebound areas on favorable benefit/cost studies—but I suggest that year round navigation has long been a reality in several areas. Do you consider the economics of an industry request for assistance, the impact of transportation delays and even the possible effect of aborted commercial assistance in this decision making process?

Answer. Yes, these considerations are taken into account in the operational commander's decision making process. The Coast Guard policy on icebreaking to assist commerce and other domestic icebreaking operations is promulgated around an interpretation of the "reasonable demands of commerce" referred to in E.O. 7521 and the Navy-Treasury agreement of 1965.

It is necessary to analyze the actual requirements, the alternatives which may be available, the cost involved and availability of resources to meet the needs, and the intests and benefits to be derived from providing the service. The Congressionally sponsored season extension demonstration program conducted on the Great Lakes from 1972-79 was in cooperation with and under direction of the Corps of Engineers. Strict utilization of cost/benefit analysis was not considered during the demonstration though commercial participants in this program will certainly apply such an analysis in future discussions of a similar program. Year round icebreaking in other areas may not necessarily be subject to cost/benefit analysis, such as the movement of critical energy resources on intra lake colliers and oil tankers.

Finally, missions cannot safely be aborted once the assistance effort has begun. The rapidly changing weather patterns cause almost unpredictable shifting of ice concentrations and pressure, leaving little mercy for the mariner. This points out the important responsibility of the Operational Commander to evaluate each assistance case and make the decisions regarding type and extent of icebreaking service to be provided.

Question. What is your policy with respect to preventive icebreaking?

Answer. Preventive icebreaking is generally regarded as icebreaking to assist commerce by preparing or maintaining a track through the ice. In other words it does not involve direct icebreaking assistance in support of a specific vessel(s). Coast Guard policy is to conduct preventive icebreaking when the operational commander feels that: (1) it will be an effective use of icebreaker time; and (2) it will be of benefit to the bulk of Marine traffic through the area. Generally preventive icebreaking is conducted in areas where tracks through the ice have already been established such as the St. Mary's river, Whitefish Bay and the Straits of Mackinac.

Keeping the channels open by the frequent passage of an icebreaker (2–4 times per week for example) is far easier than allowing the waterway to freeze solid requiring subsequent extensive icebreaking.

Question. In determining the adequacy of both commercial and Coast Guard icebreaking assistance, is time or the efficient movement of commerce a factor in your analyis?

Answer. The Operational Commander must determine not only the adequacy, but also the availability of icebreaking resources when monitoring a request for icebreaker assistance. Adequacy, of course, will determine the time required to complete the mission, while availability is a measure of the time required for the assisting vessel to arrive on scene. Again, the Operational Commander must weigh several factors such as urgency of cargo vessel destination, weather forecast, and other traffic demands before assigning Coast Guard assistance or referring the request to commercial assistance. It is important to point out the unique position of this officer to evaluate all circumstances involved in the Domestic icebreaking case. The Operational Commander knows the capabilities of both commercial and Coast Guard facilities, the urgency of the request and historical or economic factors which may influence a given circumstance. This decision, therefore, is the most qualified and experienced available with a single goal of effective and safe movement of commerce.

Question. Do you equate efforts to promote an energy-efficient transportation system, as I deem winter navigation to be, with your traditional search and rescue mission? Is not such a system effort in the national interest?

Answer. Icebreaking to meet the reasonable demands of commerce has been a traditional Coast Guard mission mandated by executive order and is in the national interest. In that sense I can equate it with our search and rescue mission. This analogy, in fact, can be carried one step further by examining the situation should Coast Guard icebreaking assistance not be available or provide in a timely manner. Industry commitment to winter navigation is driven by economic and to some degree the survival needs of the consumer (movement of heating fuels for example). Movement of these cargos without direct Coast Guard icebreaking assistance or a preventive icebreaking system would either result in a rescue case or excessive and fuel-inefficient transit time. Marine movement of bulk cargos is relatively inexpensive in terms of cost and expenditure of fuel, Coast Guard participation in a winter navigational program promotes this energy-efficient operation.

Question. Is there a significant capability within, or role for, the Coast Guard Reserve in carrying out anti-terrorism responsibilities?

Answer. The reserve forces contain approximately 1500 active law enforcement officers among their ranks. However, that expertise has not been specifically focused on counter-terrorism. Coast Guard Captains of the Port (COTP) will shoulder major responsibility for maritime counter-terrorist response in ports and internal waters should an incident occur. I envision the Coast Guard's role, which is currently in a formative stage, as that of response coordinator, and do not foresee duplicating highly trained forces which can be made available from other sources. While a significant portion of reseve augmentation is designated to support COTP mobiliation, the extent of any counter-terrorism role remains to be defined.

Question. Have you incurred any serious problem with ship repairs or maintenance due to the limited drydock facilities in Alaska?

Answer. There are no facilities to drydock or haul cutters larger than 95′ in length. Coast Guard Cutters must steam to Seattle, Washington for all shipyard availabilities, emergency haulouts and major equipment repairs or renewals. Cutters have had to be towed to Seattle for emergency haulouts. Unscheduled trips to out of district ports for emergency repairs decreases time vessels are available for operational missions.

Question. The Coast Guard has begun to participate in a new advisory body, the National Diving Council. Would you summarize the purpose, composition, and activities of the Council; the role of the Coast Guard; and the amount of personnel and resources the Coast Guard is committing to this participation?

Answer. The National Diving Advisory Council is being formed by NOAA as a means to comply with Section 21e of the OCS Lands Act. Accordingly, the Department of Commerce is complying with the requirements of the Federal Advisory Committee Act in establishing the Council.

Once officially recognized, it is intended that the chairmanship of the Council will be held by NOAA and the vice chairman from the Coast Guard. The Council will be composed of representatives from various agencies of the federal government (USCG, NOAA, NIOSH, USN, DOE, OSHA, and NIH), the industry (Association of Diving Contractors, Association of Commercial Diving Contractors, labor unions, and equipment manufacturers), and the research fields (University of Pennsylvania, Duke University), as well as other interested organizations such as the Smithsonian Institute and the Marine Technology Society. The purpose of the Council will be to provide an open forum for all interested persons to discuss diving-related topics. For the Coast Guard, it is felt the information and commentary to be obtained from such an organization will be of enormous benefit to our commercial diving safety effort. Presently there are two Coast Guard officers in the Office of Merchant Marine Safety whose work includes commercial diving safety.

Question. In light of the Posse Comitatus Act, can the military services, other than the Coast Guard, effectively act to thwart terrorism and to recover property in other than a declared war?

Answer. The Posse Comitatus Act (18 USC 1385) places a strict limitation upon the Army and Air Force in regard to their capacity to enforce United States Law. The Navy is not included within the parameters of the Act, however, they have adopted the restrictions of the Act as a statement of public policy by SEC NAVINST 5820.7 of 15 May 1974. The restrictions of the Act, as presently accepted by the Navy, can be removed by amendment or withdrawal of the Navy regulation.

The existing constraints on Department of Defense involvement depend upon the interpretation of the term "execution of the laws" as used by the Act, and the term "terrorism" as posed in your question. The Posse Comitatus Act does not apply to those functions which have been authorized by the Constitution or Act of Congress. By Act of 29 July 1861, 12 Stat. 281 (10 U.S.C. 332) Congress authorized the President to react with the use of the armed forces to unlawful obstructions or combinations which make it impractical to enforce the laws of the United States by the ordinary course of judicial proceedings. Prior to the use of such forces, this Act requires the President, by proclamation, to order "the insurgents to disperse and retire peaceably * * *".

There is no comprehensive federal criminal statute which specifically defines an act of terrorism, or makes terrorism a federal crime. However, a terrorist incident invariably involves the threat or use of violence, and therefore, includes distinct criminal acts which greatly endanger the safety of persons and property, and may be violations of federal law. If there are violations of federal law, and ordinary law enforcement means are rendered unworkable, then a legal avenue exists to apply armed forces elements to resolve such situations.

Even if ordinary law enforcement means are not rendered unworkable, armed forces equipment and material may be supplied to law enforcement agencies provided service personnel are not utilized in a direct law enforcement action against civilians.

QUESTIONS SUBMITTED BY MR. MCCLOSKEY AND ANSWERED BY ADMIRAL HAYES

Question. Have terrorism contingency plans been developed for all scenarios? Are these plans exercised?

Answer. Since the Coast Guard's counter-terrorism program is in the preliminary formative stage, specific scenario plans do not exist. However, general civil disturbance action plans do exist and are exercised.

Question. Is there a significant capability within, or role for, the Coast Guard Reserve in carrying out terrorism responsibilities?

Answer. The reserve forces contain approximately 1500 active law enforcement officers among their ranks. However, that expertise has not been specifically focused on counter-terrorism. Coast Guard Captains of the Port (COTP) will shoulder major responsibility for maritime counter-terrorist response in ports and internal waters should an incident occur. I envision the Coast Guard's role, which is currently in a formative stage, as that of response coordinator, and do not foresee duplicating highly trained forces which can be made available from other sources. While a significant portion of reserve augmentation is designated to support COTP mobilization, the extent of any counter-terrorism role remains to be defined.

Question. Will the establishment of a Marine Safety Unit in Singapore obviate the need for reimbursement agreements with affected U.S. maritime interest?

Answer. Reimbursement agreements will not generally be necessary. Under new language in the 1981 appropriation act authority will be provided for industry to reimburse the Coast Guard for overseas inspections where local Coast Guard Units are not available. Establishment of the Marine Inspection Office in Singapore will not completely eliminate the need to cover these expenses, but it will provide industry with timely, efficient and economical inspection service.

Question. Is there an American Bureau of Shipping Office in Singapore to which essential inspection functions could be delegated?

Answer. The Coast Guard is required by law to inspect U.S. vessels. Only the Coast Guard is authorized by law to issue Certificates of Inspection. The Commandant of the Coast Guard is not empowered to delegate this authority.

Before any consideration of further delegation of authority is considered, it must be taken into account that it was a failure of third party inspection agencies or foreign governments that led to the present Coast Guard inspections of foreign flag passenger ships in 1966 and foreign flag tank vessels in 1977.

Additionally, the American Bureau of Shipping does not class most offshore supply boats and certain public vessels which regularly call on and operate in or around Singapore. They are also not the only classification society employed for U.S. flag vessels, but share this function with Lloyds, Bureau Veritas, and other societies.

Mr. **Biaggi**. The following panel consists of two gentlemen, Vice Adm. Paul E. Trimble, U.S. Coast Guard (Retired), president, Lake Carriers' Association, and Mr. John Seefeldt, port director, Green Bay, Wis.

STATEMENT OF VICE ADM. PAUL E. TRIMBLE, U.S. COAST GUARD (RETIRED), PRESIDENT, LAKE CARRIERS' ASSOCIATION, CLEVELAND, OHIO, ACCOMPANIED BY JOHN SEEFELDT, PORT DIRECTOR, GREEN BAY, WIS.

Admiral **Trimble**. Good morning, Mr. Chairman, members of the committee. I am Paul E. Trimble——

Mr. **Biaggi**. Admiral, before you commence, Mr. Roth has a statement.

Mr. **Roth**. Thank you, Mr. Chairman.

Mr. Chairman, this morning I am delighted to welcome from Green Bay, Wis., Mr. John Seefeldt who is well known in our area of the State and throughout the country, and he is now the port director of Green Bay, Wis., and he is a former port director of Milwaukee. And he has been very much involved, has been a significant voice in the waterfront. And I would like to enter into the record my remarks, Mr. Chairman, if I may for—to comply with the time considerations——

Mr. **Biaggi**. Without objection.

[The following was received for the record:]

Statement of Hon. Toby Roth, a Representative in Congress From the State of Wisconsin

Mr. Chairman, I appreciate the opportunity you have afforded me to participate in discussion of Coast Guard domestic icebreaking policies that are of vital concern to my constituency and, indeed, to the entire Great Lakes region. This area is in the heartland of America and a hub of industrial activity that is vital to the economic well-being of this country.

I welcome to this hearing, Mr. John Seefeldt, now the Port Director of Green Bay, Wisconsin and a former Port Director of Milwaukee who has been a significant voice on the waterfront for many years. He knows the trade and has been intensely involved in port development and shipping. He has been in the forefront of many hard fought battles to protect the essential avenues of commerce in this region.

I am reminded also that references to "season extension" activities can be misleading since most assume that this term encompasses activity through December into January and February. But, it can happen that an earlier spring opening will so compress a winter cessation of navigation as to effect an extension of the navigation season. We must be prepared to cope realistically with changing traffic patterns and demands essential to the economy of Green Bay and of the nation. I trust that these hearings will respond to such needs with the adoption of a Congressional policy that will recognize the reasonable demands of commerce.

Thank you, Mr. Chairman.

Mr. OBERSTAR. What was that? Where?

Mr. ROTH. Green Bay, Wis.

Mr. BIAGGI. Admiral and Mr. Seefeldt, you are the next panel to testify but, at this point, we will take a 1-hour recess. Probably you can avail yourself of some lunch.

The President will be making presentations to the American Olympic Team on the west front of the Capitol and all the Members have been invited to attend, and I certainly would not want to miss this opportunity nor would my colleagues to pay our respects to our great American athletes.

As soon as we return, you will be the first to testify. Thank you very much.

[Whereupon, at 11:35 a.m., the subcommittee recessed, to reconvene the same day.]

Mr. BIAGGI. The meeting is called to order.

I thank the gentlemen for indulging me. The recess was a little longer than we anticipated. Admiral Trimble?

Admiral TRIMBLE. Good afternoon, Mr. Chairman. In the interest of time and because there are other witnesses to be heard, I would like, with your concurrence, to submit my statement for the record and just make a few summary remarks.

Mr. BIAGGI. Without objection, so ordered.

[The following was received for the record:]

STATEMENT OF VICE ADM. PAUL E. TRIMBLE, USCG (RET.), PRESIDENT, LAKE CARRIERS' ASSOCIATION

Mr. Chairman and Members of the Subcommittee, I am Paul E. Trimble, President of Lake Carriers' Association, representing domestic bulk carriers on the Great Lakes. Cargoes include iron ore for Great Lakes steel mills in Illinois, Indiana, Michigan, Ohio, Pennsylvania and New York; coal for power generation; grain from midwestern farms; limestone, cement, sand and petroleum products.

We appreciate the inclusion of icebreaking policy as a matter to be reviewed in the oversight hearings scheduled this morning. Icebreaking has significant economic implications for the Great Lakes region, for shippers, ports and carriers. Water transportation long has provided the lowest cost means of moving large volumes of raw materials, as well as the cleanest and most energy conservative. It is the principal reason that Michigan and Minnesota ores are competitive for use in the lower Great Lakes steel mills. Ores from Brazil and Venezuela, for example, can be brought into coastal ports in 200,000 ton foreign flag bulk vessels and transhipped to lower lakes at a cost only slightly higher than domestic ores. Effective icebreaking therefore plays an important role in helping to keep domestic ores competitive. It makes for better utilization of equipment, reduces some of the weather-related vagaries of navigation and contributes towards better control of stockpiling.

Present national policy guidance stems from a 1936 Executive Order reading as follows: "The Coast Guard is directed to assist in keeping open to navigation by means of icebreaking operations, insofar as practicable and as the exigencies may require, channels and harbors, in accordance with the reasonable demands of commerce."

The current implementation of that policy by the Commandant is contained in an Instruction dated October 24, 1978, a copy of which is attached for the record. Pertinent extracts from that instruction are:

"3(a). Coast Guard policy on icebreaking to assist commerce is as follows:

(1) The Coast Guard will conduct icebreaking operations when needed to keep open those principal waterways which are not normally closed to commerce in the winter.

(2) The Coast Guard will conduct icebreaking operations when needed to maintain traditional commercial navigation seasons on principal waterways which are not normally open to year-round navigation."

"3(i). In conducting icebreaking operations to assist marine commerce, the Coast Guard will not normally interfere with private enterprise. If commercial icebreaking assistance is available and adequate, Coast Guard icebreaking assistance need not be provided. If, however, available commercial icebreaking assistance is inadequate, Coast Guard icebreaking assistance will be provided in accordance with other operational priorities."

The current Ninth Coast Guard District's implementation of the Commandant's policy is:

"1. Several complaints have been received this year concerning Coast Guard interferences with private enterprise in providing icebreaking assistance to commercial vessels."

"2. Coast Guard icebreaking assistance will be provided only, repeat only when commercial assistance is: (1) not available; (2) available but has declined to provide any assistance; or (3) available and has attempted unsuccessfully to provide requested assistance."

We have no problem with the long-standing national policy contained in the 1936 Executive Order. We do have some problem with the Commandant's Instruction, the meaning and intent of the sentence in 3(i): "If commercial icebreaking assistance is *available* and *adequate*." (Italics supplied.) Criteria is lacking for the subjective availability and adequacy determination required for local Coast Guard implementation to satisfy the shipping industry, towing industry and local Congressmen.

In the early thirties Congress authorised construction of the Tahoma and Escanaba for general Coast Guard service on the Great Lakes, including icebreaking to keep channels open. Then on November 26, 1941 (Public Law 324) Congress authorised construction of the Cutter Mackinaw and clearly supported winter navigation on the lakes, using the following language: "To provide for the construction of a Coast Guard Cutter designed for icebreaking and assistance work on the Great Lakes. That in interest of the uninterrupted flow of interstate and foreign commerce through the Straits of Mackinac in winter seasons and better to provide assistance to marine commerce and industry on the Great Lakes in opening ice-blocked channels and ports, the Secretary of the Treasury be and he is hereby authorised and directed to construct and equip a Coast Guard Cutter of a design especially adapted for heavy icebreaking."

Icebreaking to keep shipping lanes open under various ice conditions is one thing; assisting vessels around docks in harbors is something else. Where icebreaking vessels have been made available under national policy to keep channels open to meet the reasonable demands of commerce, vessel operators are led to believe that such will be the case and operations for the year can be planned accordingly.

Keeping shipping channels open to navigation in accordance with the 1936 Executive Order implies rather strongly that icebreaking will take place as appropriate to keep principal routes passable with minimum delays. Normally, depending upon the availability of equipment, that would not mean waiting until a vessel arrives or is stuck in the ice before commencing icebreaking in critical areas. In addition to keeping channels open, such "preventive" icebreaking fosters safety of vessels and crews, and also is excellent training for icebreaker crews.

Keeping channels open in the Great Lakes is the theme that is contained in Reports accompanying icebreaking vessel authorizations since the thirties. In the Mackinaw authorization this Committee used these words: "* * * in interest of the uninterrupted flow of interstate and foreign commerce * * *." The Report of the Senate Committee on Commerce, Science and Transportation on Coast Guard Authorization Act of 1978 stated as the basis for including two replacement icebreaking tugs and one large icebreaker: "The Committee, in its consideration of Authorizations for fiscal year 1977, found and declared that the icebreakers and backup icebreaking tugs on the Great Lakes aproved to be inadequate for the total task of efficiently clearing the ice so that maritime traffic can move smoothly through the Great Lakes."

There are many variables involved in icebreaking that bear on adequacy and availability, such as:

(1) Type of ice, brash, new ice, ridged, refrozen, mature, depth of water channel or harbor configuration and thickness of ice.

(2) Size, hull design and power of the cargo vessel.

(3) Features of the available assisting tug; horsepower, hull design and strengthening, operator experience, willingness to break ice.

(4) Safety considerations, wind and weather factors.

(5) Time factor, distance away from icebreaking point, time to complete job.

Policy guidance on icebreaking from this Committee will be extremely helpful to the marine community and probably also to the Coast Guard. Keeping federal channels and harbors open insofar as practicable to meet the reasonable needs of commerce should clearly be the responsibility of the Coast Guard. Assisting vessels around docks and in non-federal channels, in other words, in the normal commercial towboat operating area, would be performed by commercial boats, if available.

Congressional authorization for icebreaking vessels does not imply that icebreaking is to be treated routinely as a rescue mission. On the contrary, authorizations and the 1936 Executive Order clearly treat icebreaking service as if it were a channel maintenance function similar to dredging and furnishing of navigational aids. Obviously this philosophy would only apply where and to the extent that icebreaking vessels have been authorized, are available and ther reasonable needs of commerce justify.

The current practice is for no icebreaking to be performed in federal channels when a commercial towboat claims icebreaking services are available, regardless of capability or experience. A vessel requiring icebreaking assistance in that area has to engage the towboat, wait until it arrives and attempts icebreaking. If the effort is successful, the laker proceeds after whatever delay has occurred. If not, then the Coast Guard will dispatch an icebreaker, more as a rescue mission than to keep navigable channels open. Delays are compounded in this manner seriously detracting from productivity of shipping, as well as being wasteful of fuel for both the laker vessel and the Coast Guard. Keeping channels open for the reasonable demands of commerce is even more important today than it was when the national policy was established in the thirties.

Loss of vessel cargo revenue because of such delays is costly to the industry. New vessels cost up to $70 million, and as much as $40,000 to $50,000 a day to operate. Shipping plans for the year must be based on something tangible in the way of navigational aids, maintenance dredging and icebreaking policy. A clear-cut delineation of federal responsibility, as proposed above, is needed for firm productive operational planning.

Attachment.

DEPARTMENT OF TRANSPORTATION
UNITED STATES COAST GUARD

MAILING ADDRESS:
U.S. COAST GUARD (G-OOO-2/74)
WASHINGTON, D.C. 20590
PHONE: (202) 426-1870

COMDTINST 16151.1
24 OCT 1978

COMMANDANT INSTRUCTION 16151.1

Subj: Domestic Icebreaking Policy

1. PURPOSE. This Instruction prescribes domestic icebreaking policy and procedures, especially with regard to icebreaking for assistance to commerce, for flood control, for search and rescue, and for research and development.

2. DISCUSSION. Domestic icebreaking is normally conducted for two basic purposes: to provide assistance to waterborne commerce and to relieve or prevent the danger of flooding caused by ice. In some circumstances, icebreaking is necessary to support search and rescue operations. Evaluation of new concepts through research and development may require icebreaking activity beyond that normally undertaken. Coast Guard actions in these situations are discussed in the following paragraphs. This policy is considered applicable to all districts where ice may form.

3. POLICY.

   a. Coast Guard policy on icebreaking to assist commerce is as follows:

      (1) The Coast Guard will conduct icebreaking operations when needed to keep open those principal waterways which are not normally closed to commerce in the winter.

      (2) The Coast Guard will conduct icebreaking operations when needed to maintain traditional commercial navigation seasons on principal waterways which are not normally open to year-round navigation.

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3.a.(3) The Coast Guard, working jointly with the U.S. Army Corps of Engineers and other cognizant agencies, will extend the navigation season or attempt to provide year-round navigation in ice-bound areas where benefit/cost studies indicate that such services are in the nation's interest. The guidelines for such studies will be in accordance with Section 7 of the Department of Transportation Act, 49 USC 1656.

b. Coast Guard policy on icebreaking for flood control is as follows: In 14 U.S.C. 141(a) the Coast Guard is permitted, but not required, to assist other agencies in flood control, and in 14 U.S.C. 88(a) the Coast Guard is authorized to aid persons and property imperiled by flood. Therefore, upon request of the appropriate authorities of the Corps of Engineers, U.S. Army, the Coast Guard may provide icebreaking facilities and services to aid in the prevention of floods and hazardous water stages caused by ice jams. On the same basis, the Coast Guard may also provide icebreaking facilities and services for flood control directly in response to requests by federal, state, or local governmental agencies or private interests. However, since responsibility for flood control is vested in the Corps of Engineers, it will be necessary to consult with cognizant officials of that organization before undertaking icebreaking for flood control, and to determine if the icebreaking will interfere with regulation or operation of the waterway in question. Icebreaking for flood control shall be conducted to the extent Coast Guard resources are available and can be effectively utilized.

c. The Coast Guard will conduct any icebreaking required for pursuit of search and rescue missions.

d. Temporary deviations from this policy and expansion of icebreaking activities are permitted for research and development or study purposes.

e. All domestic icebreaking shall be conducted with due regard given to the possibility of damage to other vessels and shore facilities. Prudence will be exercised to minimize such damage while carrying out the assigned mission. Moreover, the movements of oil and hazardous substances through ice-covered waters may require the availability of additional resources to meet the associated hazards.

f. No significant expansion of icebreaking services, including cooperative efforts to extend the navigation season, shall be undertaken without the approval of the Commandant.

3.g. The Coast Guard will not normally seek reimbursement from other government agencies for routine domestic icebreaking operations.

h. Commercial vessels will not normally be hired by the Coast Guard for use in domestic icebreaking.

i. In conducting icebreaking operations to assist marine commerce, the Coast Guard will not normally interfere with private enterprise. If commercial icebreaking assistance is available and adequate, Coast Guard icebreaking assistance need not be provided. If, however, available commercial icebreaking assistance is inadequate, Coast Guard icebreaking assistance will be provided in accordance with other operational priorities.

4. ICE INFORMATION. Coast Guard units are authorized to disseminate to mariners and other related interests such current or historic information on ice conditions as is available. The Coast Guard will not make ice predictions or ice forecasts. However, the Coast Guard may relay ice forecasts made by the National Weather Service or other cognizant agencies. Details of transmission of ice information are at the discretion of the district commander.

5. ACTION. District commanders shall:

a. Conduct domestic icebreaking operations and provide ice information in accordance with the policy stated above.

b. Maintain liaison with appropriate local authorities to evaluate requests for icebreaking services.

c. Promulgate, in operation plans and operation orders, as appropriate, details concerning icebreaking services to be provided in specific principal waterways.

d. Forward requests for significant expansion of icebreaking services to Commandant (G-OOO/74) for consideration.

JB Hayes
J. B. HAYES
Admiral, U.S. Coast Guard
Commandant

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UBJ: ICEBREAKING POLICY
. COMDINST 16151.1
. SEVERAL COMPLAINTS HAVE BEEN RECEIVED THIS YEAR CONCERNING CG
NTERFERENCES WITH PRIVATE ENTERPRISE IN PROVIDING ICEBREAKING
SSISTANCE TO COMMERCIAL VESSELS.
. CG ICEBREAKING ASSISTANCE WILL BE PROVIDED ONLY REPEAT ONLY WHEN
OMMERCIAL ASSISTANCE IS (1) NOT AVAILABLE (2) AVAILABLE BUT HAS
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Admiral **Trimble**. Mr. Chairman, I am Paul Trimble, president of Lake Carriers' Association. I am interested in the icebreaking policy on the Great Lakes aspect of the oversight hearings today.

I think most of the issued have been aired, so I will only make a few remarks.

My statement summarizes the various reports on authorizations the Congress has approved for icebreaking equipment on the Great Lakes since the 1930's. I think it pretty clearly establishes congressional intent that the Coast Guard use icebreakers to keep shipping lanes open to meet the needs of commerce as distinguished from treating the matter as a rescue mission. There is quite a distinction between the two approaches.

I do not agree that the Green Bay incident was an isolated case. It is true it was the incident this past spring that brought this to the attention of the committee. But we have been having the problem for the last several years, and I think it will continue unless there is confirmation of the congressional intent as to why icebreakers have been furnished. Particularly in these days when there is discussion of revitalization of industry, I think there is all the more reason to think in terms of improved productivity rather than continue on the approach that is presently being followed by the Coast Guard.

With that, I turn over the microphone to Mr. Seefeldt from the Port of Green Bay.

Mr. **Biaggi**. Before we get to Mr. Seefeldt, are you telling this committee that the icebreaking facilities that the Coast Guard has are being used for search and rescue rather than keeping the sealanes open for commerce?

Admiral **Trimble**. No. Their approach is where commercial facilities, regardless of capability—contend that they are available for icebreaking—when that takes place, the Coast Guard defers to the commercial facility to break the ice rather than doing it itself. So, it does not keep the lanes open for commerce.

Commerce arrives at a section, let's say the northern part of Lake Michigan, and, if icebreaking is needed, they have to wait for commercial icebreaker to see whether they can break the ice. If they cannot do it, then the Coast Guard will send its icebreaker out. At that point it is sort of treated as a rescue mission rather than a responsibility for keeping the shipping lanes open.

I think that icebreaking should be thought of as a channel maintenance responsibility similar to aids to navigation. If you follow the thesis further, the Coast Guard's longstanding policy, which I am quite familiar with, of not interfering with commercial activity, somebody could say: I can take care of aids to navigation service. So, they could follow the Coast Guard's specifications for buoys or whatever services and expect the Coast Guard to reimburse them for that service. That is a possibility. I think that would be a very unfortunate way of approaching the problem.

I think there is need for some clarification or confirmation, as I see it, because I think the congressional authorization for the *Mackinaw* and some of the predecessor vessels, also the current ones, have been clearly expressed in terms of keeping the lanes of commerce open rather than rescuing somebody after he has become stuck in the ice.

Mr. **Biaggi**. Mr. Seefeldt?

Mr. **Seefeldt**. Again in the interest of saving time, if the chair concurs, I will dispense with the reading of my statement and offer a few comments.

Mr. **Biaggi**. Thank you very much. Without objection, so ordered.

[The following was received for the record:]

Statement of John A. Seefeldt, Port Director, Green Bay, Wis.

Mr. Chairman and Members of the Subcommittee, I am John A. Seefeldt, Port Director of Green Bay, Wisconsin, and I am appearing here today to take issue with the present icebreaking policy of the U.S. Coast Guard. My comments also reflect the position of the 16 U.S. member ports of the International Association of Great Lakes Ports, and are endorsed by the Western Great Lakes Ports Association, as well as the Wisconsin Council of Great Lakes Ports.

The Port of Green Bay, Wisconsin is located at the lower end of the Bay of Green Bay, with annual traffic of 2,800,000 tons of primarily bulk cargo.

The actual harbor of the Port of Green Bay begins at Grassy Island, approximately one mile from the mouth of the Fox River, and extends for 3.5 miles upstream from the mouth of the Fox. All facilities of the Port of Green Bay are located along the banks of the Fox River.

Since there is no winter navigation program in effect on the Great Lakes, the Port of Green Bay is a seasonal port operating from approximately the first week in April to mid-December. During the navigation season, cargoes of coal, cement, salt, limestone and petroleum products are brought in by vessel and stockpiled for use during the winter. Depending upon the severity of the winter, stockpiles, especially coal, could be near depletion, requiring early replenishing to assure continued commercial operation by local industries. Also, as a normal practice, lake vessels winter over in our port, and must gain access to open water as soon as possible in April to begin their normal traffic. These procedures have worked well through the years, with the Coast Guard performing the spring icebreaking operation to open the Bay to commercial traffic.

However, in early April of this year, we were advised by the Coast Guard that private assistance would have to be sought. We were further told that the Coast Guard would no longer perform this function, except where private enterprise was not available or was inadequate. Needless to say, this new procedure places an additional financial burden on the ship owner, and the port authority. But more importantly, in our view, the presnet policy violates Article IV of the Northwest Ordinance of 1787, wherein you will find language declaring these waters "forever free". The levying of charges by anyone to allow navigation in these waters violates the ordinance. This then, in our opinion is the duty and responsibility of the federal government and it's appropriate agencies without fee.

The Bay of Green Bay has always been serviced by Coast Guard icebreakers, and I am sure was one of the factors used in justification for the funding of the new tug type breakers of which some are now in service, and others being constructed. If the Coast Guard is not going to be the primary entity in this operation, then quite likely we do not need all of these new craft, since it was my understanding that we on the Lakes agreed to this type of craft because of it's shallow draft, which would allow for operations in ports and channels with less than Seaway draft.

Admiral J. B. Hayes, Commandant, U.S. Coast Guard, issued Commandant Instruction No. 16151.1, dated 24 October 1978, a copy of which is attached to my statement for the record. The subject was domestic icebreaking. Under Policy, item 3a.(2), I qoute "The Coast Guard will conduct icebreaking operations when needed to maintain traditional commercial navigation seasons on principal waterways which are not normally open to year round navigation".

The Admiral also states in item 3 (i) of 16151.1, "In conducting icebreaking operations to assist marine commerce, the Coast Guard will not normally interfere with private enterprise. If commercial icebreaking assistance is available and adequate, Coast Guard icebreaking assistance need not be provided. If however, available commercial icebreaking assistance is inadequate, Coast Guard icebreaking assistance will be provided in accordance with other priorities".

We seem to have a gray area here, with interpretation left to the Coast Guard Operations Commander.

Since the waterway in question is maintained by the U.S. Corps of Engineers, and since the U.S. Coast Guard places and maintains navigational aids, and further since the U.S. Coast Guard has in years past provided icebreaking assistance, we respectfully request this subcommittee establish policy guidelines which would require the U.S. Coast Guard to carry out the functions of Spring icebreaking to insure smooth flow of commerce during the early days of the traditional Great Lakes season.

We sincerely believe that unless some corrective action is taken, the present system will break down, and would then jeopardize our nation's security in time of crisis.

Under the present procedure, if it is allowed to remain in effect, it will only be a question of time before the Coast Guard deploys Great Lakes icebreaking units elsewhere. Then, when extended ore shipments are needed to meet Defense Department requirements, the capability will have been seriously depleted.

The overall demand for icebreaking assistance cannot be met by the private sector.

It is therefor imperative that this function be returned to the Coast Guard.

Thank you.

Mr. SEEFELDT. I am John A. Seefeldt, port director, Green Bay.

Incidentally, the statement and the comments I am about to make reflect the position of the 16 U.S. member ports of the International Association of Great Lakes Ports as well as the Western Great Lakes Ports Association and the Wisconsin Council of Great Lakes Ports.

I have heard this morning some encouraging comments by Admiral Hayes, although it fell short, I think, of what we need. That is some firm policy with respect to icebreaking. There is a gray area, as we see it, which is left perhaps to the interpretation by the local operations commander or the task group commander. It does not really set forth a firm policy. It appears to me that it is subject to the pressures of whatever force may bring them to bear.

We therefore respectfully request that this subcommittee take the leadership in establishing or encouraging the establishment of some firm guidelines with respect to this icebreaking situation.

If we do not have that, I am afraid that in time the Coast Guard will deploy the units elsewhere and, if an emergency should arise of national or international scope, it is quite possible that our industries, especially the steelmakers, might suffer the consequences if we did not have the icebreaking capability.

Again I urge the subcommittee in their wisdom to hopefully establish some firm policy in this area. Thank you.

Mr. BIAGGI. Thank you, Mr. Seefeldt.

What do you believe would be absolutely necessary or what kind of a program should they have in relation to Great Lakes and keeping those sealanes open for commerce?

Mr. SEEFELDT. Mr. Chairman, the present policy that is being adhered to is working quite well with the exception of the fact that we will not have a polar type icebreaker until probably 1985. However, Congress in its wisdom saw fit to fund the 140-foot tug type, some of which are presently in service. Some are still being constructed. If they are allowed to perform the type of service that they were built for, I think, with the addition of a large icebreaker and with the hardware that we presently have, it looks to me like a good program can be accomplished.

Mr. BIAGGI. Do I understand that it should not be devoted to other missions, just stay with the icebreaking assignment? Is that what you mean?

Mr. SEEFELDT. No. First of all, the 140-foot tug type were really specifically designed and constructed for icebreaking. They can perform other functions during the off season and they do. But their principal function as I see it and the design was for icebreaking. Yet, as it stands now, they are to take a back seat to a questionable—and I say questionable—private enterprise with an aged hull with a new engine in it, as is the case in our area.

I do not see that private enterprise has the specific capability for icebreaking because their units were constructed for other purposes such as towing and tugwork.

Mr. Biaggi. What do you feel would be necessary, a change of policy or additional equipment or personnel, to keep those lanes open during the winter?

Admiral Trimble. Mr. Chairman, there is no need for this purpose to think in terms of additional equipment. I think the equipment is quite adequate. The Coast Guard is not devoting their icebreakers to other duties.

The problem is that they are standing aside when any commercial entrepreneur says that he has the capability of breaking ice, the Coast Guard in that particular area will not break ice until the entrepreneur has shown that he can or cannot do it. That is the problem. They have the facilities.

We are not recommending any additional facilities. All it would take is clarification of congressional intent.

Mr. Biaggi. We are really talking about basic policy: Is it the Coast Guard's responsibility, is it the Government's responsibility to keep the lanes open?

Admiral Trimble. Yes, Mr. Chairman, we are talking about basic policy. I do feel that should stem from the Congress. Congress has authorized the icebreakers. To me, as I read the authorization, it is pretty clear that the intent was to keep the lanes of commerce open. The 1936 Executive order speaks in those same terms. The authorization for the *Mackinaw* back in the early 1940's speaks in those terms.

All that is needed is a confirmation of congressional intent. That will provide guidance as far as the Coast Guard is concerned. The Coast Guard has the capability.

Mr. Biaggi. What we are really talking about perhaps is an updated restatement of the intent of Congress.

Admiral Trimble. I think that would do it, Mr. Chairman.

Mr. Biaggi. And the way they have responded so far means that in a few years we will need another updated resolution to restate it.

Admiral Trimble. Well, it has been going on since the thirties, Mr. Chairman, without a change; and it has been working very well until the last few years. So, I do not really feel that it will have to be changed that frequently. I think it is merely a reaffirmation of congressional intent.

Mr. Biaggi. I think you have made a very salient point. Frankly, the Chair was not aware of it. We will address ourselves to it expeditiously. I think it is a very critical point. If the Coast Guard responds in only a mimimal amount of cases, I can see with the advent and expansion of commercial or private enterprise, it could eventually take over the whole operation. That thwarts the intent of Congress.

Thank you very much, Mr. Seefeldt. Admiral, it is good seeing you again. Mr. Livingston?

Mr. Livingston. No questions.

Mr. Biaggi. Thank you very much.

Admiral Trimble. Thank you, Mr. Chairman. It is always a pleasure to appear before this committee.

[The following was received for the record:]

Questions Submitted by Mr. Roth and Answered by Mr. Seefeldt

Question. On Page 2 of your statement you say "there is no winter navigation program in effect on the Great Lakes." Are you familiar with those programs of the Coast Guard that for years past have been called Operation Coal Shovel and Operation Oil Can? Have not these and other services provided for winter navigation on a year-round basis in various sectors of the Lakes—includng Green Bay?

Answer. When I say "there is no winter navigation program in effect on the Great Lakes", I mean a total Lakes winter navigation program. The operations you cite, are specific single purpose programs, and not full scope winter navigation.

Question. Was not the first recognized Great Lakes icebreaker, the Straits of Mackinaw Ferry, St. Ignace, built about 1888, whence continous operations have been maintained ever since—sometimes with Coast Guard assistance?

Answer. Yes.

Question. Have not other ferry systems been maintained, even into Green Bay, in years past, on a year-round basis?

Answer. Other ferry systems have been operating year round in Lake Michigan, I have no knowledge of a ferry from Green Bay.

Question. How adequate is existing commercial icebreaking assistance for the Port of Green Bay and its approaches with respect to botn icebreaking and towing of vessels in ice conditions?

Answer. Commercial ice breaking is not adequate as was proven earlier this year. Since the prime commercial function of these units is towing, I feel they could perform those functions in the ice with U.S.C.G. assistance.

Question. Has the Coast Guard Maintained effective liaison with you and other port authorities in your region to ascertain your needs and foreseeable requests for icebreaking services?

Answer. Yes.

Question. Are you faced with changing needs for icebreaking services?

Answer. Yes, changing shipping technolgoy, increasing demand for coal.

Question. Please advise as to the availability and adequacy of Selvick Marine Towing Company tugs to the Green Bay area, which Vice Admiral Scarborough indicated provide a significant commercial icebreaking capability for the Great Lakes.

Answer. This question is now moot, since Adm. Fugard has now declared these tugs inadequate.

Mr. Biaggi. Mr. Conrad?

Mr. Livingston. Mr. Conrad is not present at the moment, but Mr. Borderlon and Mr. Meyers are both here. Mr. Conrad will be joining them.

Mr. Biaggi. Mr. Meyers and Mr. Borderlon are our next witnesses.

STATEMENT OF DANIEL R. MEYERS, JR., PRESIDENT, ASSOCIATED BRANCH PILOTS

Mr. Meyers. Mr. Chairman, I am Daniel Meyers, president of Associated Branch Pilots, who meet the ships before they come into the Mississippi River.

In the past year the Coast Guard aids to navigation branch in New Orleans has responded on lighting lights in Southwest Pass and with only one buoy tender available to the gulf area it takes them a little longer to light buoys and reposition the buoys in the Mississippi River gulf outlet. We are in desperate need of more buoy tenders or contract the work out to private industry if they are able to maintain the buoys and lights on the Mississippi River and the Mississippi River gulf outlet. We feel the Coast Guard in the 8th District aids to navigation branch needs more vessels to take care of the aids.

The waterway to Baton Rouge is the busiest waterway in the world, and the Associated Branch Pilots piloted 16,006 vessels in 1979.

The aids in Southwest Pass have all been improved in the past 4 years. We do have a problem with the ships finding the seabuoy at Southwest Pass, especially in the daytime because of the black and white buoy, the smallness of the buoy. The installation of the strobe light on the seabuoy has helped the vessels find this buoy.

We do recommend a larger buoy for Southwest Pass. It would be a big assistance for vessels making an arrival at Southwest Pass. South of the seabuoy there are four oil rigs there now. It was brought to my attention yesterday that two more are being constructed, which really blocks off the ships approaching the seabuoy. So, it makes it even harder for the vessels to find the seabuoy. In the future, when these other two oil rigs are finished, it is going to be even harder.

A better racon would help assist the vessels in picking up the buoy.

With the larger ships calling at our port, it would be helpful to have east and west ranges in conjunction with the head ranges at the entrance to the mouth of Southwest Pass. That is due to the larger vessels that are calling there with crude oil and grain.

The fog signals are inadequate and need vast improvement. The east jetty light at Southwest Pass used to have a siren and that is now obsolete in the Coast Guard and should be reinstated because the fog signal is just a beep and cannot be heard by the vessels approaching the entrance to the pass. The fog signal on Coast Guard lighthouse used to have a diaphone and could be heard for miles. The present signal is very weak and cannot be distinguished from the fog signal on the oil rigs. At the head of the pass also there was a siren, and it should be reinstated.

We have no rescue boat in the lower Mississippi River to take off injured or sick crewmen of any type vessels that need this service. At least one buoy tender should be stationed in the lower Mississippi River.

Back when we had less traffic and less buoys, we had three buoy tenders stationed in the Mississippi River. There are none now. One is stationed in Mobile to cover the whole gulf area. I am told by Admiral Yost that there is another one coming to replace him.

We need to improve the safety lanes for inbound and outbound traffic and improve the maneuvering area at the Southwest Pass seabuoy.

We have been trying to get the Pilottown anchorage dredged for the past seven years to accommodate the deep-draft vessels and it should be expedited because it is a major priority.

A waterway of this magnitude should have a lot more priority than the port is appreciating.

The Pilottown anchorage, I know, is a Coast Guard function, but they cannot get it dredged. We have had all the passing of the President signing to have this done. They have an EPA study going on that is holding it up. We would like that expedited.

I did talk to Admiral Hayes today. They are aware of our problems down there. We are having a lot of big ships. I have talked to the captain here today who is chief aid to navigation. We could take the buoy from the Mississippi River gulf outlet, which is one of the large buoys. This has a large red cone. It has a large strobe light which would accommodate.

In the past I have asked for this to be transferred, but the reason that they have not done it is because they found out that the buoy at Southwest Pass was sunk 15 or 16 times. The reason it has been sunk is because they cannot see it. The aids to navigation informed of a sign, I think, would be a very minimal expense to have reinstated because they have electrical power at the Coast Guard lighthouse.

Mr. **Biaggi**. What did the admiral say with relation to your suggestion of transferring the buoy?

Mr. **Meyers**. I did not discuss that. I talked that with Captain Garrett, who is in attendance today, right before we reconvened today. We feel that, since we have such a large port and a large waterway today—last month we had a 241,000-ton tanker that called to New Orleans. That was the largest ship we have ever had. I do not know how many of these large size vessels besides going to Alaska have called to the States.

So, we are in real need of changing this buoy, which will not be any cost to the Coast Guard or to the Government.

Since they have the strobe light on the Southwest Pass buoy, they could change that over to the gulf outlet.

Mr. **Biaggi**. Mr. Conrad?

STATEMENT OF EDWARD G. CONRAD, JR., THE AD HOC COMMITTEE FOR PORTS & WATERWAYS

Mr. **Conrad**. Mr. Chairman and members, thank you for allowing us to address you on what we feel is a very important matter, the aids to navigation, the Lower Mississippi Gulf Intracoastal Waterway.

I am speaking on behalf of the Ad Hoc Committee for Ports & Waterways.

I would like first to address this committee by reviewing the Code of Federal Regulations setting forth the purpose for aids to navigation and defines aids as well: The aids to navigation system of the United States is for the purpose of aiding navigation. That part of the system administered by the Coast Guard is to serve the needs of the armed forces and the commerce of the United States.

It also defines aids: any device external to a vessel or aircraft intended to assist a navigator to determine his position or safe course, or to warn him of dangers or obstructions.

We in the marine industry feel that these needs have not been met, particularly in our area, the 8th Coast Guard District. The maintenance of existing aids has been less than maintained at a regular interval. We also feel that not enough effort has been put forth to get the input from industry to come up with necessary improvements in aids to navigation.

We feel that the state of the art of aids to navigation has not been met in providing the mariner with the necessary information to determine his position so that he may make the necessary decisions in safe navigation.

Our group feels that a closer communication between the Coast Guard, which is in charge of aids to navigation, and the users, inland and deep-sea users, is necessary if aids to navigation are going to provide the safety that we require for commerce to move in this very, very busy waterway.

We have addressed the 8th Coast Guard District through its commander, Admiral Yost, and feel that some dialogue is being addressed. We feel we have a good working relationship with the district at the present time. But as people change, needs get left behind. We think that these needs have got to be met on a local basis. You cannot address the needs of a locale by anything happening at headquarters here in Washington.

We are looking for some vehicle in which continued dialog can be provided through the users, through the Coast Guard to update and maintain aids to navigation that we feel are necessary if commerce is going to continue to move.

We were fortunate in having the opportunity to see various ports of the world on a study group that was sent from this district and seeing how some of the other ports address the needs. It has given us the conclusion that the port of Louisiana, from the seaboard going up to the railroad bridge at Baton Rouge, is a very, very unique area and requires some unique aids. The aids that are presently provided are not doing a sufficient job.

Another thing that is unique about the area is that many mariners go through the area on a very infrequent basis. So, the aids should be very obvious so that these mariners can navigate a safe course. You have a harbor or a port area that is controled by a few individual professionals that are familiar with existing aids; then maybe much is not needed. But, when you have an area that is as big as this area and is traveled by so many mariners on an infrequent basis, the aids should be of the utmost importance as obvious, well defined, and maintained on a regular basis.

We have provided in our statement some recommendations that we would like to submit.

Design new aids to navigation for use on the inland waterways. Research and development in this field is extremely necessary.

Immediately reinstate mileboards along the Gulf Intracoastal Waterway. The Gulf Intracoastal Waterway is an extremely busy and extremely hazardous waterway due to the amount of commerce traveling on it, particularly due to the fact that there is a tremendous amount of liquids, dangerous cargo, chemical, et cetera. For a mariner to determine his position along this waterway is of the utmost importance for safety.

We refer to our positions along the Gulf Intracoastal Waterway as so many miles east or west of the locks. We refer to these miles as mileboards. Traditionally, mileboards have been maintained along the Gulf Intracoastal Waterway so that a mariner could identify his position relative to another mariner's position so that you knew the distance that you were apart and could make arrangements for meeting and passing, et cetera. The mileboards have been discontinued and no longer exist.

Third, we would like to suggest creating a vehicle in which user input can be evaluated on aids to navigation. We feel that this vehicle should be of a local nature. Some form of a defined method of communication between mariners, users, other waterways, can put on a permanent basis input into the Coast Guard for identifying needs of new aids, maintenance of existing aids, and also to add some input into research and development for future aids.

We believe, on the same basis, that the allocation of funds for research and development should be made available to our district so that these studies can be made.

We also sincerely recommend that an increase in the frequency of maintenance of aids to navigation, particularly the placement of buoys in accordance with river stages take place.

One of the major complaints of the maritime users is that aids to navigation are maintained on a convenience basis by the Coast Guard and not on a need basis. The reporting of outed aids is seldom reacted to immediately, very important aids.

Also, the industry has shied away from making reports of outed aids because the industry gets charged with their outage. So, a mariner tends to ignore an aid that is not on station instead of cooperating with the Coast Guard and reporting it because he does not want police action taken against him. I think this is a very important point to take into consideration. When an aid is off station, a person should feel comfortable and want to report it and know that it will be taken care of instead of having to feel that he is going to be charged with the destruction of the aid.

Sixth, study the possibility of using private industry on a competitive bidding basis for the maintenance of aids to navigation in critical areas, as recommended by the study conducted by the General Accounting Office. This is not a totally new concept. Private industry has maintained certain stretches of aids to navigation in the past, particularly along certain reaches of the Mississippi River and the western river system. We believe that this should be looked into.

If the Coast Guard does not have the facilities or the proper number of buoy boats or personnel to maintain aids, we feel that a study or some consideration should be given to allocating areas of responsibility on a competitive bid basis to private industry.

Thank you, Mr. Chairman and members, for the opportunity to speak to you on this day.

Mr. Biaggi. Thank you.

Without objection, your written statement will be inserted into the record.

[The following was received for the record:]

STATEMENT OF EDWARD G. CONRAD, JR., ON BEHALF OF THE AD HOC COMMITTEE FOR PORTS AND WATERWAYS

The Code of Federal Regulations sets forth the purpose for aids to navigation and defines aids to navigation as well. The purpose, as stated in 33 CFR §60.01-1, is as follows:

> The aids to navigation system of the United States is for the purpose of aiding navigation. That part of the system administered by the Coast Guard is to serve the needs of the armed forces and the commerce of the United States.

An aid to navigation is defined as follows:

> . . . any device external to a vessel or aircraft intended to assist a navigator to determine his position or safe course, or to warn him of dangers or obstructions to navigation.

33 CFR §601.01-5(a).

It is the position of the inland river towing industry and barge lines that the Coast Guard is not providing or maintaining aids to navigation consistent with the definitions above. The Coast Guard, for the most part, stresses "maintaining certain aids to navigation, *i.e.* buoys and fixed lights, at their convenience with disregard in many instances to safety of property and personnel. The aids to navigation which the Coast Guard maintains are incomplete and unsafe. The procedures which are followed are remedial, replacing well-established lights and buoys, and not creative. They are not designed to remedy changing or existing situations.

By way of example, the industrialization of the lower Mississippi River area creates difficulties for the mariner in identifying lights which blend into the background of cities and industrial sites. This is similar to the problems a baseball player would have in attempting to catch a fly ball in Yankee Stadium with all spectators wearing white shirts. The Coast Guard is apparently insensitive to this problem and has failed to come forth with any suggestions or resolutions in this regard. The inland river system in the United States is unique, particularly in the lower Mississippi River area between Head of Passes and Baton Rouge. In this area where inland and ocean commerce is active, the Coast Guard relies on traditional coastal aids to navigation which are clearly inappropriate when the type of traffic in this area is scrutinized.

It is our recommendation that funds for research and development be allocated for research in the areas of aids to navigation, specifically with respect to the inland rivers and Intracoastal Waterway. The emphasis should be on new aids to navigation rather than applying new technology to do the exact same job, i.e. improved batteries, improved lamp changers. Present aids are obsolete and fall below worldwide standards, as evidenced by the attached brochure delineating aids to navigation in the port of Bremerhaven, Germany.

We submit that if the Coast Guard proceeds in attempting to improve "aids to navigation" as it did in attempting to provide VTS as an aid to navigation with little, if any, regard to the needs of the mariner, we will be back here six months from now attempting to correct deficiencies that could have been prevented by proper analysis and user input at the beginning.

In sum, the following recommendations are made:

1. Design new aids to navigation for use on the inland waterways;
2. Immediately reinstate mileboards along the Gulf Intracoastal Waterway so that the mariners, particularly the infrequent users, will be more aware of their position and the relative position of others using this extremely heavily traveled waterway;

3. Create a vehicle in which user input can be evaluated on aids to navigation;

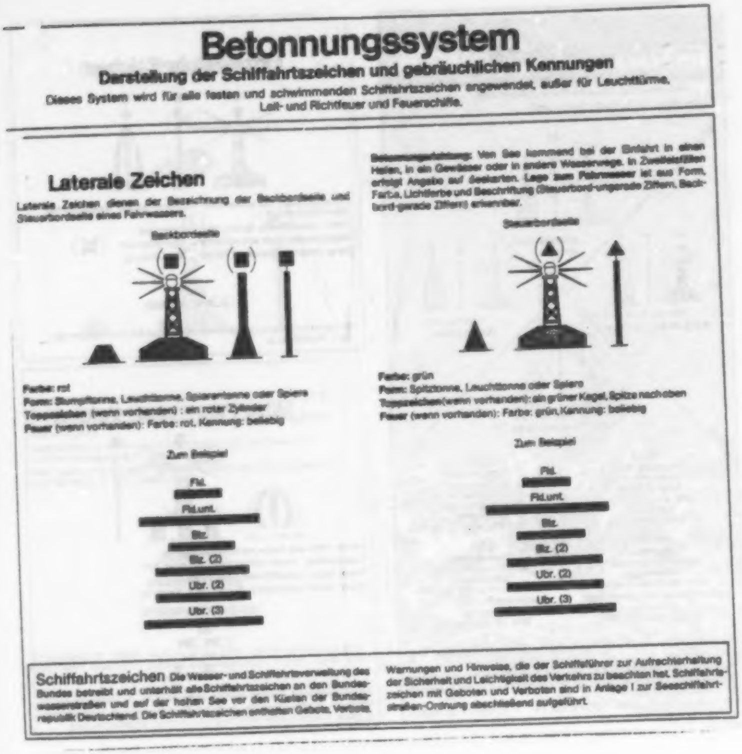
4. Allocate funds for research and development for aids unique to the inland waterways;

5. Increase the frequency of maintenance of aids to navigation, particularly the placement of buoys in accordance with river stages;

6. Study the possibility of using private industry on a competitive bidding basis for the maintenance of aids to navigation in certain critical areas as recommended by the study conducted by the General Accounting Office.

Respectfully,

Edward G. Conrad, Jr.



Betonnungssystem

Darstellung der Schiffahrtszeichen und gebräuchlichen Kennungen

Dieses System wird für alle festen und schwimmenden Schiffahrtszeichen angewendet, außer für Leuchttürme, Leit- und Richtfeuer und Feuerschiffe.

Laterale Zeichen

Laterale Zeichen dienen der Bezeichnung der Backbordseite und Steuerbordseite eines Fahrwassers.

Betonnungsrichtung: Von See kommend bei der Einfahrt in einen Hafen, in ein Gewässer oder in andere Wasserwege. In Zweifelsfällen erfolgt Angabe auf Seekarten. Lage zum Fahrwasser ist aus Form, Farbe, Lichtfarbe und Beschriftung (Steuerbord-ungerade Ziffern, Backbord-gerade Ziffern) erkennbar.

Backbordseite

Farbe: rot
Form: Stumpftonne, Leuchttonne, Spierentonne oder Spiere
Toppzeichen (wenn vorhanden) : ein roter Zylinder
Feuer (wenn vorhanden): Farbe: rot, Kennung: beliebig

Zum Beispiel

Fl.
Fl.unt.
Blz.
Blz. (2)
Ubr. (2)
Ubr. (3)

Steuerbordseite

Farbe: grün
Form: Spitztonne, Leuchttonne oder Spiere
Toppzeichen(wenn vorhanden): ein grüner Kegel, Spitze nach oben
Feuer (wenn vorhanden): Farbe: grün, Kennung: beliebig

Zum Beispiel

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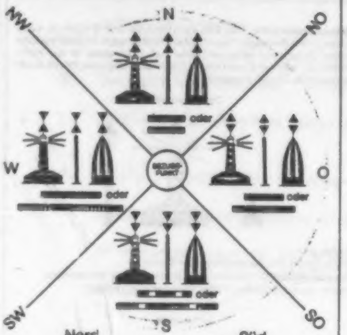
Fl.unt.
Blz.
Blz. (2)
Ubr. (2)
Ubr. (3)

Schiffahrtszeichen Die Wasser- und Schiffahrtsverwaltung des Bundes betreibt und unterhält alle Schiffahrtszeichen an den Bundeswasserstraßen und auf der hohen See vor den Küsten der Bundesrepublik Deutschland. Die Schiffahrtszeichen enthalten Gebote, Verbote, Warnungen und Hinweise, die der Schiffsführer zur Aufrechterhaltung der Sicherheit und Leichtigkeit des Verkehrs zu beachten hat. Schiffahrtszeichen mit Geboten und Verboten sind in Anlage I zur Seeschiffahrtstraßen-Ordnung abschließend aufgeführt.

Kardinale Zeichen

Form: Leuchttonne, Spiere oder Bakentonne
Toppzeichen: zwei schwarze Kegel übereinander
Feuer (wenn vorhanden): Farbe: weiß.



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Tonnenfarbe:
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Kennung:
SFkl. oder Fkl.

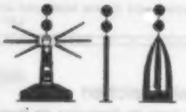
Süd
Toppzeichen:
Spitzen unten
Tonnenfarbe:
gelb über schwarz
Kennung:
SFkl. (6) + Blk. oder Fkl. (6) + Blk.

West
Toppzeichen:
Spitzen zueinander
Tonnenfarbe:
gelb mit einem breiten waagerechten schwarzen Band
Kennung:
SFkl. (9) oder Fkl. (9)

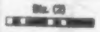
Ost
Toppzeichen:
Spitzen voneinander
Tonnenfarbe:
schwarz mit einem breiten waagerechten gelben Band
Kennung:
SFkl. (3) oder Fkl. (3)

Kardinale Zeichen zeigen die Passierseite des Bezugsobjektes in Kompaßrichtung an.
Farbgebung-Merkregel: Spitzen der Toppzeichen zeigen zum Schwarz.
Kennung-Merkregel: Anzahl der Fkl. (3, 6, 9) entspricht in der Zuordnung den Ziffern einer Uhr.
SFkl. = Schnelles Funkeln = 100 Fkl/Min Fkl. = Funkeln = 60 Fkl/Min

Einzelgefahr-Zeichen

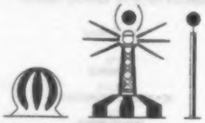


Farbe: schwarz mit einem oder mehreren breiten waagerechten roten Bändern
Form: Leuchttonne, Spiere oder Bakentonne
Toppzeichen: zwei schwarze Bälle übereinander
Feuer (wenn vorhanden): Farbe: weiß, Kennung:

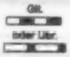


Einzelgefahr-Zeichen werden verwendet bei Gefahrenstellen geringer Ausdehnung.

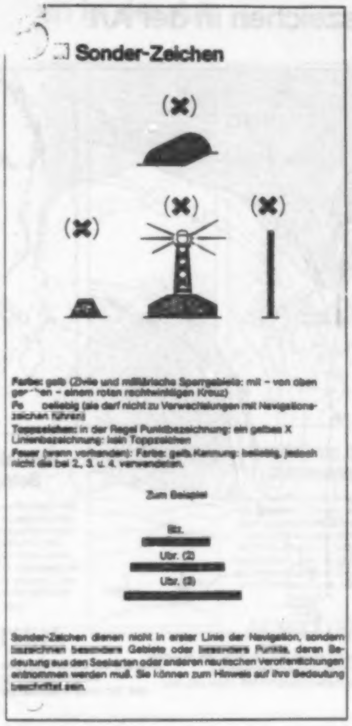
Mitte-Fahrwasser-Zeichen



Farbe: rote und weiße senkrechte Streifen
Toppzeichen (wenn vorhanden): ein roter Ball
Form: Kugel, Leuchttonne oder Spiere
Feuer (wenn vorhanden): Farbe: weiß, Kennung:



Mitte-Fahrwasser-Zeichen werden verwendet für die Bezeichnung der Mitte von Schiffahrtswegen, auch zur Bezeichnung von Ansteuerungspunkten, sofern hierfür keine lateralen Zeichen vorgesehen sind.



Sonder-Zeichen

Farbe: gelb (Zivile und militärische Sperrgebiete: mit – von oben gesehen – einem roten rechtwinkligen Kreuz)

Form: beliebig (sie darf nicht zu Verwechslungen mit Navigationszeichen führen)

Toppzeichen: in der Regel Punktbezeichnung: ein gelbes X
Linienbezeichnung: kein Toppzeichen

Feuer (wenn vorhanden): Farbe: gelb.Kennung: beliebig, jedoch nicht die bei 2., 3. u. 4. verwendeten.

Zum Beispiel

Blz.

Ubr. (2)

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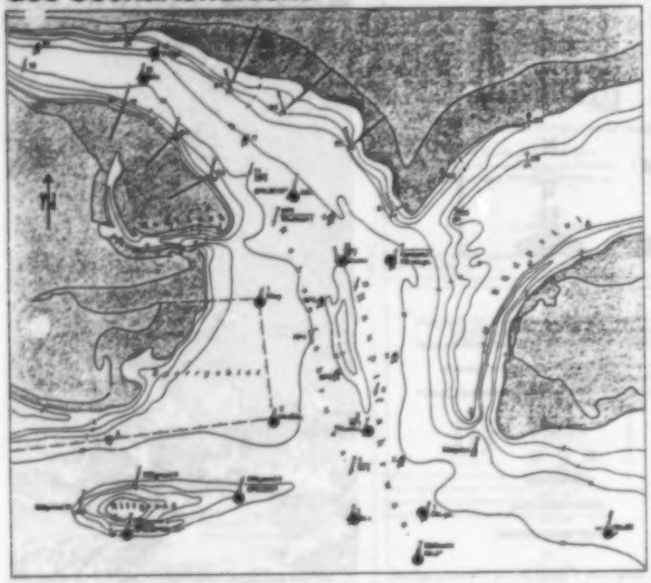
Sonder-Zeichen dienen nicht in erster Linie der Navigation, sondern bezeichnen besondere Gebiete oder besondere Punkte, deren Bedeutung aus den Seekarten oder anderen nautischen Veröffentlichungen entnommen werden muß. Sie können zum Hinweis auf ihre Bedeutung beschriftet sein.

Neue Betonnung

Darstellung der Schiffahrtszeichen in der Art des Seekartendrucks



ACHTUNG: Zur sicheren Navigation nach den visuellen Schiffahrtszeichen sind außerdem ständig die nach der letzten „Nachrichten für Seefahrer" berichtigten Seekarten erforderlich.

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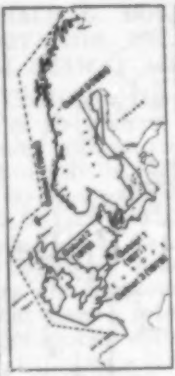

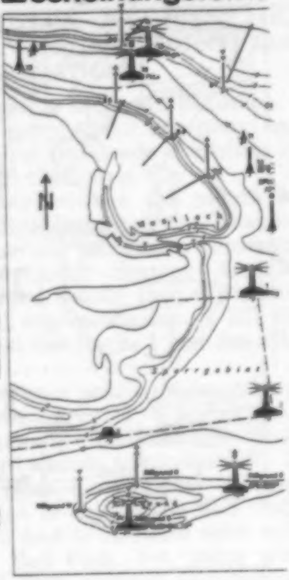

Umstellung der Betonnung

Die Umstellung der Betonnung erfolgt abschnittsweise in den oben dargestellten Gebieten. Der Umstellungszeitraum wird durch die Jahreszahlen angegeben. Die Durchführung wird jeweils in den nautischen Veröffentlichungen bekannt gemacht.

ACHTUNG:

Während der Umstellungsphasen können in diesem Bereich vorübergehend gleichzeitig das alte und das neue Betonnungssystem angetroffen werden.

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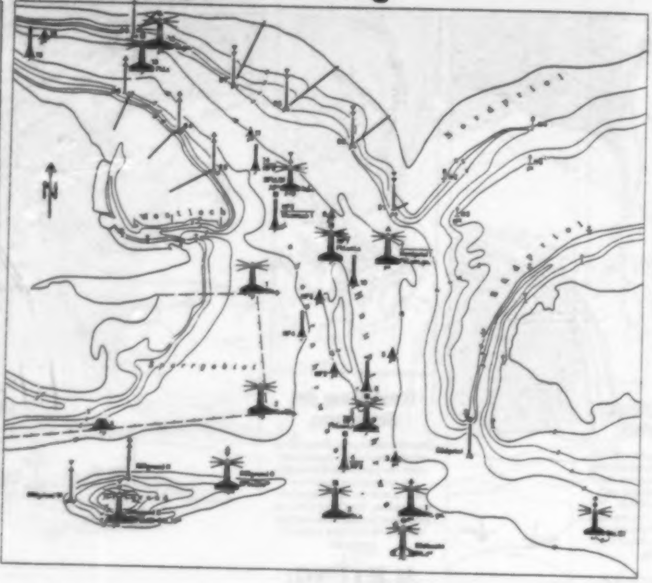
Darstellung der Schiffahrtszeichen in ihrer Erscheinungsform bei Tag



Mr. BIAGGI. Mr. Bordelon?

Mr. BORDELON. Mr. Chairman and members, with all due respect, I would like to read my short statement and make a few comments.

STATEMENT OF GERALD G. BORDELON, PRESIDENT, OCEAN MARINE TRANSPORTATION, INC., AND PRESIDENT, LOUISIANA INTERCOASTAL SEAWAY ASSOCIATION

Mr. BORDELON. Mr. Chairman, my name is Gerald Bordelon. I am president and owner of an offshore supply boat company and an inshore towboat company with a total of 20 vessels operating in the Gulf of Mexico from Brownsville, Tex., to Tampa, Fla.

Ninety percent of my fleet operates between the mouth of the Mississippi River delta to Galveston Bay and along the Intercoastal Waterway from Mobile Bay to Cameron, La. I also represent an organization called Louisiana Intercoastal Seaway Association, which has 25 members who have agreed totally that my testimony is on their behalf. That gives a total representation of 127 vessels operating in the Gulf of Mexico within the limits I just described to you.

With 13 years of marine experience as a boat captain, a shipyard superintendent and vessel owner and operator, I respectfully request that your subcommittee seriously consider the problems facing the Louisiana coast with regard to aids to navigation.

The Louisiana coast during the past 5 years has witnessed a major facelifting and a drastic change in the traffic into the ports along the coast. Only 5 years ago we had to contend with minimal traffic into the Port of Fourchon or Bell Pass. Yet, today with the superport of Louisiana Offshore Oil Port nearing completion, the port which once served only small shallow-draft fishing vessels now serves a multitude of deep-draft vessels—not ships—deep-draft oil support vessels.

The port now has petroleum support base and is the major petroleum support base, serving over 450 oil producing rigs within the Gulf of Mexico. This number will sizably increase within the next 16 months. Vessels with deep draft and high volume load carrying capabilities use this port as their main base of operations.

I live and work out of the Fourchon area and have seen the drastic changes in total marine usage with little changes in navigation aid and assistance. We have a problem in Fourchon of great concern to all the 150 boats which use this area daily.

The seabuoy is totally inadequate in rough seas and inclement weather. We have been told that water depth does not constitute a large, more sophisticated buoy. Yet I ask you and the committee and the members of the Coast Guard who were here this morning: Have any of your people or your staff tried to come into this pass with 8- to 10-foot seas, which is a common condition in the winter? Has anyone from this district tried to pick up the channel buoys and jetties on a radar in zero visibility and fog? Has anyone tried to find a range light on a misty evening with all the industrial land illumination behind them?

Gentlemen, the answer to that is "No." It is fine and simple to go out there when the weather is fine and pretty and look at the range lights and pick it up. But, when there are 8- to 10-foot seas, which is common during the winter months, from personal experience I can tell you that it is not that easy to do. I have requested—and I think we may get some results to this request—to have somebody look at this as a result of our meeting today. We do have a serious problem here.

I have had 11 of my best licensed skippers respond to me directly in writing as to their feelings toward this pass. Unanimously they say that this is a hazardous experience. Recently we beached one of our 115-foot supply boats on the shore 50 yards east of the existing jetty because the old channel jetties being what they are and the new channel jetties being as small as they are, in inclement weather we were not able to pick up the jetties on the radar. We could not get a true fix on the buoy, nor could we find the range lights because of the industrial development behind the existing range light.

The aids to navigation that we have in this area are servicing more smaller craft vessels whose range of level of eyesight is that of about 20 to 24 feet maximum. The deep-draft vessels of 165 or 185 feet have a higher eyesight and better capability of seeing the range lights, the buoys, et cetera, the other navigation aids. But the majority of the vessels using this channel are smaller vessels. They are the ones having the problems. This is the type of situation that we need correction in the aids to navigation.

The mariners in our area, I will tell you, are scared to talk to the Coast Guard. As a result, your "Local Notice to Mariners" that has been produced falls on deaf ears and is a total waste of money in the opinion of the majority of the mariners within my area.

I come before you today as a businessman who is deeply concerned about the condition of our aids to navigation along the gulf coast Ports of Grand Isle, Fourchon, Houma/Dulac, Grand Chenier, Intercoastal City, and Cameron. These ports are all unique in their respective problems pertaining to dredging but equally so to aids to navigation, which are in serious condition. It is of the utmost concern to the fishing industry, the offshore crew boat and offshore supply boat industry as well as the towing industry that efforts be made to correct the problems with aids to navigation.

I propose to you that we need more involvement of the mariners within the local specific areas to directly talk to the people who are responsible for planning aid to navigation repairs, aid to navigation placement or initial maintenance on the aids to navigation within our area.

We have been ostracized in the past when reporting an aid being out. It is a very bad feeling to be 60 or 70 miles offshore, coming into a port after having been at sea for 15 or 20 days and trying to report that the aids are out. And the man on the other end of the microphone makes you feel as though you have no business in talking to him. This is a communication problem. I think it is one which should be addressed directly by the 8th Coast Guard District.

Reevaluation of the placement of buoy tenders and aids to navigation support vessels and shore facilities should be reevaluated completely.

It is our belief that emphasis should be put on the necessity and the importance and the priorities of the aid and not so much on the routine scheduling of it. It makes no difference if one aid that is an inland aid is out when you take the first three aids to come into a port. Once you are in the jetty, the problem of continuing on is very minuscule. It is to get into the jetties. If two primary aids are out, it is hard to come in.

Introduction of a system whereby disabled or displaced aids will be immediately repaired cannot be reemphasized enough.

We have had experience in the last 10 days of reporting of an aid outage that was very crucial, and it took 10 days to have it repaired. This is something that was brought to the attention of the 8th Coast Guard District. Only after calling into the 8th Coast Guard District ourselves personally was this matter corrected. But it was reported by one of our mariners and he was led to believe that it was not of importance at that time.

In closing, I thank you for the fine job that you have done in preparing this committee and especially for the help that the Coast Guard has given to all of us mariners. But I would like to reemphasize the importance that aids to navigation along the coastline of Louisiana are. The volume that is there today was not there 5 years ago. The volume that is going to be there within the next 5 years will far surpass the needs of today.

Proper planning and priorities are going to have to be reemphasized and reevaluated.

I come before you to offer you the services of the people of south Louisiana to personally help, and financially if need be, to set up the meetings in which we could coordinate these priorities and help in any way possible. Thank you for your time.

Mr. **Biaggi**. Thank you very much, Mr. Borderlon. Mr. Lay?

STATEMENT OF W. N. LAY, VICE PRESIDENT OF OPERATIONS, DRAVO MECHLING CORP.

Mr. **Lay**. Good afternoon, Mr. Chairman, Members of Congress. I thank you for the opportunity to present my views on behalf of my company, Dravo Mechling Corp., one of the largest inland river barge lines and towing companies using the river system today.

My experience covers a period of more than 20 years, during which time I have worked on river towboats and have actively navigated vessels along the Ohio, Mississippi, and Intracoastal Waterway. During that period, I have seen a major change in aids to navigation, unfortunately a change for the worse.

I have seen tremendous increases in river traffic, both commercial and recreational. I have seen technological improvements that have led to larger and more powerful towboats pushing increased numbers of barges in their tows. Productivity has improved, capital utilization has improved, fuel efficiency has improved, and we continue to have one of the best safety records of any mode of transportation.

There is, however, one activity that is being conducted against this current of positive change. That is the maintenance of aids to navigation. I say maintenance: maintain the aids on station, not the sandblasting and painting that the admiral was referring to this morning. Procedural changes made in the mid-1960s have, I believe, resulted in a waste of public dollars and a deteriorating situation that could jeopardize river transportation's safety record.

Two principal aids heavily relied upon by both professional river pilots and recreational boaters are channel buoys and lights on the banks. By following properly placed buoys, the boat operator can have confidence that he will not run aground.

As the name indicates, channel buoys mark the areas of the river in which a boat cannot safely navigate. They are most crucial during times of low water when sandbars and other obstructions become a constant worry for river captains. Navigable channels are often very narrow and can make sudden changes. The narrowness of the channel makes going around a bend exceptionally tedious. Not only is there less margin for error, but the pilots must resort to a maneuver called flanking in order to navigate the bend. I will not go into the details of flanking except to say that it is more time consuming and less preferred than steering through a bend.

Because of tight space in the channel and rapidly changing river conditions, channel buoys often get out of place during low water. As you can imagine, one misplaced buoy could cause a serious accident. It is important that these buoys be continually monitored and replaced as soon as possible.

A second problem occurs when the river starts to rise. As this happens, the current becomes very swift, flanking becomes even less preferred for negotiating a bend. With the wider channel caused by higher water, the pilot easily has room to steer through the bend. With the swifter current, steering is the safer method. The problem is that the pilot cannot do it. The reason is that the low water buoys are still in the river, some in place, the rest scattered about. This makes for a very confusing situation in which meaningless buoys are getting in the way of navigation instead of being an aid.

Up until the mid-1960s, channel buoys were a pilot's best friend. You could depend on their being in the right place. When they got out of place, for whatever reason, they were promptly put back in proper position. When the responsibility for maintaining the channel buoys was shifted from the Army Corps of Engineers to the U.S. Coast Guard, the procedures for performing the work also changed. I think they changed for the worse. Although I am not trying to be critical of the Coast Guard, the point is not, who should be responsible for the work but, rather, the method chosen to perform the task.

Prior to the change in responsibility, the buoy work was performed by civilians under Corps of Engineers' responsibility. Captaining a buoy tender was a much sought-after job. These men were experienced river men who lived near the river; they respected and knew the river, knew the importance of the channel buoys. In fact, many of them had worked as towboat captains and knew what it was to rely on channel markers for safe navigation of bends and restricted channels.

Likewise, the crews that placed the buoys were experienced and well-versed in river work. These people knew that the river conditions did not change on any kind of schedule and that river navigation activity is not limited to daylight hours or a Monday through Friday work schedule. When something needs to be done, a buoy replaced or a new buoy placed, it was done as soon as possible.

For example, I remember a buoy tender captain named Jessie Evans. If the need arose, he would round up a crew member and go out to replace a buoy at night, or on a holiday. He knew how important it was. Captain Jessie knew the river like the back of his hand. There were many dedicated men like him. When high water started to come up, the buoy tenders made their runs and picked up the low water buoys and replaced them with high water buoys where needed. Buoys were maintained and protected.

Today's procedure is vastly different. The crews are Coast Guard personnel, mostly early in their careers, and are unfamiliar with the river. They are more anxious to get a deep-water assignment. When you get an area commander, such as we recently had in Memphis, who becomes seriously interested in buoy work, the situation can be significantly improved. This man spent time on a towboat to learn that viewpoint; and a towboat captain, with his salary paid by his company, spent time with a buoy crew. During this commander's tour of duty, his district was the best on the river. Unfortunately, he was transferred to his next assignment and that ended that.

Today, buoy tenders make regularly scheduled runs. If the high or low water comes after that run, it is just too bad because no one comes back for the buoys until the next regularly scheduled run. A towboat captain used to report a knocked out buoy and would be assured it would be taken care of within the next couple of days, sometimes even within hours. Today, you report a misplaced buoy and you are told that it will be taken care of on the next scheduled run.

A similar problem exists with navigation lights on the bank. Over the last several years, there have been many navigation lights that have not been replaced when burned out or damaged. Indeed, lights are expensive and require time-consuming maintenance. But the aids do not always have to be lights. Day markers, indicating mileage, can be just as effective. Even at night, the powerful towboat searchlights can locate a day marker.

During the run to check the buoys, the experienced pilots on the tenders updated the channel report. This was considered the bible to river pilots. Now, most pilots never use this as it is written by people who, in most instances, have never ridden on a towboat, much less piloted one. It takes almost as much time to get a new man accustomed to the phraseology and needs as his normal tour of duty.

I would like to recommend a system for dramatically improving aids to navigation on the lower river. The system not only will be better but will most likely be cheaper. I know it will work. I have seen it work.

The system I would like to recommend is to return the actual responsibility for aids to navigation on the lower Mississippi to civilian control. It could be done under the general supervision of the Coast Guard or the Corps of Engineers as it was before.

There are people, as there were before, who recognize that this kind of work must be performed according to the river's unpredictable schedule and not according to a calendar. There are civilians who know and respect the river who would be ready and willing to contract for this work and perform it as if their livelihood depended upon it.

In conclusion, I would like to emphasize that my suggestion is not for something new and untried, but for a return to a proven and much more effective procedure, one proven to be efficient, economical, and effective.

I would like to thank you for this opportunity to be here today. I or my people would be very happy to help you in any manner we can in this or any other worthwhile idea to improve navigation safety.

Mr. **Biaggi**. Thank you for your statements.

There seem to be some very simple suggestions that could be of great help. They do not seem to be very complex.

Each of you seem to be very laudatory of the Coast Guard, yet the statement is abundant in criticism even though not directly.

Mr. **Livingston**. I think that these statements appropriately point out the fact that there has not been sufficient communication. It is unfortunate that the Coast Guard could not remain and hear the testimony, but I am sure these gentlemen will have their thoughts conveyed to the Coast Guard. In fact, they already have done so.

I would like to advise the chairman that I would like to work very closely mediating some of these disputes and get the problems resolved.

Mr. **Biaggi**. In the short time that the gentleman from Louisiana has been on the committee, he has clearly demonstrated his deep concern. He is a valued member of this committee. We appreciate his contribution, especially with the loss of our former colleague, David Treen, who went on to greater things.

You know the sentiments of this chair. You know the sentiments of this committee. Your comments seem to be practical, reasonable, and sensible. We assure you that we will pursue this, Mr. Livingston, myself, and Mr. Breaux, who is also from that area. We thank you for your patience and also your contribution. Thank you.

Our next witness is Mr. Thorjussen.

[Recess taken.]

Mr. **Ratti**. The chairman had to go to a vote on the floor of the House. I know you would much rather talk to him than to me, but your statement will be brought to his attention. We will pass on to him what you have to say. Please proceed.

STATEMENT OF TED THORJUSSEN, VICE PRESIDENT, WEST GULF MARITIME ASSOCIATION, ACCOMPANIED BY CAPT. JAMES BAKER, CHAIRMAN, CAPTAINS TECHNICAL COMMITTEE, WEST GULF MARITIME ASSOCIATION

Mr. **Thorjussen**. Thank you. I am Ted Thorjussen, vice president of West Gulf Maritime Association. With me today is Capt. Jim Baker, chairman of our captains technical committee.

We are appearing before you on behalf of our 75-member companies actively engaged as shipowners, ship agents, operators, and stevedores in all the Texas ports and the Port of Lake Charles, La.

We sincerely appreciate this opportunity to present what in our opinion is a serious problem that constitutes a real and potential disastrous hazard to safe navigation in the offshore waters of the United States.

The approaches to our Nation's ports are designated fairways intended to provide safe passage and designated anchorages outside the port entrance, where vessels should be able to safely anchor when it is required. Vessels frequently have to anchor due to port congestion, waiting for cargo, berth unavailability, waiting for orders, or a combination of these and other reasons.

Due to the tremendous acceleration of offshore oil and gas exploration, these fairways and anchorages that were created for the purpose of safety are now in the process of becoming hazards and traps to oceangoing vessels. This is taking place in the form of drilling and production platforms situation on the borderline of the fairways, in some places lining the fairway like an alley, which effectively reduces the area left for safe navigation.

It is taking place in the form of pipelines which have been constructed and are now being proposed in anchorages and under fairways and can easily be penetrated by vessels and tankers.

There are in existence today pipelines that are buried at only 3 feet, within inches of an area designated for anchoring purposes.

It seems to be an acceptable idea to use the fairway as a pipeline corridor guiding the pipeline through an achorage. An argument that has been used successfully in favor of permitting the pipeline is that the probability of an anchor hitting that particular spot where the pipeline is is very small.

One isolated pipeline crossing a fairway may be an acceptable risk to some people and interest groups. But a proliferation of pipelines crisscrossing active and busy anchorages and fairways is an unacceptable risk to the maritime community, to the local community, to the water-borne commerce of the United States, and should be to all other parties.

It should be pointed out that the risk is squarely on the shoulders of the innocent, unsuspecting party, the owner of the vessel and the vessel master. We do not think anyone doubts that today's vessels are equipped with anchors capable of picking up the pipeline buried 16.5 feet deep, the current criterion for permitting pipelines in an anchorage. It therefore certainly makes it even more unsafe to permit pipelines in fairways at 10 feet, not to talk about the 3-foot requirements immediately outside an anchorage.

There are scars in the Gulf of Mexico at 10 to 20 feet deep which experts say have been caused by anchors. These were sighted 60 to 70 miles offshore.

An analysis done in 1976 made calculations based on a few select samples in the Galveston anchorages and fairway found that a 10,000-pound anchor would be embedded more than 15 feet deep into the sea bottom in certain locations and that a 20,000-pound anchor would go to 25 feet. A 20,000-pound anchor is not uncommon today.

We urge that the Coast Guard take immediate charge of this safety-related problem in laying pipeline in coordination with the Corps of Engineers. We urge that a national policy be established for where and how the structures and pipelines should be permitted in the vicinity of navigable waters and that a definite policy be established of the minimum depth at which a pipeline must be buried to make sure of safe navigation.

We are not at all suggesting to deprive our Nation of urgently needed oil and gas resources. Our anchorages and fairways comprise such a small area that it has to be reserved.

The Port and Tanker Safety Act of 1978 states that the paramount right of navigation over all other users shall be recognized in areas designated as fairways and safe access routes.

We feel it is important to mention that three States are experiencing the brunt of this problem, Texas, Louisiana., and California.; and they account for 35 percent of the entire waterborne commerce of the United States.

The Galveston approach area leading into the Ports of Galveston, Houston, and Texas City have experienced a number of collision accidents this year some of which were very serious in nature. As an immediate remedy toward reducing the risk for such accidents in the future, the West Gulf Maritime Association recommends that a safety zone be established from the current sea buoy to a new additional buoy to be placed about 2 miles to seaward.

Within this safety zone vessels should only be allowed to navigate with the pilot on board or after the vessel has been cleared to enter the zone for purposes of picking up a pilot. No vessels should be allowed to anchor, mill about, lenghten or shorten tows or to engage in any other activities in this zone. Placing fixed objects in this zone should also be prohibited.

In order to implement this system, the authority should be given to the Houston-Galveston Vessel Traffic Service operated by the Coast Guard to police and administer. However, in order to have the proper authority, it will be necessary to move the line of demarcation from its present location at the end of the jetties to the new buoy, thus including the entire safety zone.

We believe that a safety zone as outlined above would be a positive and constructive step toward reducing accidents with a minimum amount of expenditures.

I would also like to join our colleagues that testified earlier to share their concern. We do have the same concern and some of the same problems as far as aids to navigation.

We sincerely appreciate this opportunity to express our views. Thank you.

Mr. Ratti. Thank you, Mr. Thorjussen. Without objection, your statement will be inserted in the record.

[The following was received for the record:]

STATEMENT OF TED THORJUSSEN, VICE PRESIDENT OF WEST GULF MARITIME ASSOCIATION

This presentation is made on behalf of the West Gulf Maritime Association with a membership of 75 shipowners, operators, ship agents and stevedores domiciled in the Texas ports and the port of Lake Charles, Louisiana actively engaged in the maritime industry.

Our member companies represent more than 500 United States and Foreign Flag shipowner principals with tens of thousands of vessels calling at various gulf ports every year.

We thank you for the opportunity to express our views about one of the current major concerns directly related to the safety of ocean shipping in the offshore waters of the United States in general, and Texas in particular.

Our concern is with preserving the areas set aside for safe passage of vessels to and from our ports as well as the areas reserved for vessels to anchor when this is required due to congestion,or many other different reasons.

When the shipping safety fairways and anchorages were established, they were considered ample and sufficient for the foreseeable future. At that time, everything was relatively quiet in our offshore waters, and the price of oil and gas then, made many of the offshore fields marginal or uneconomical for development and production.

The tremendous increased offshore activities the last few years has created a completely new and different picture. We now find drilling structures and production platforms routinely scattered throughout the anchorages and a proliferation of pipelines and permit applications for pipelines in, around and through anchorage areas and fairways that in our opinion constitutes a definite and ever increasing hazard to the maritime industry and to our waterborne commerce.

We wish to emphasize that we are not talking about the entire Gulf of Mexico sea bottom area, although that is also of some concern, we are specifically only worried about the small area set aside for anchorage purposes close to our ports, and the fairways leading to these ports in relatively shallow water where anchors may have to be used when emergency action is required.

We believe the Gulf Coast is first to experience this severe problem. A workable solution needs to be found in time to prevent unnecessary accidents and that this solution should probably be in form of a national policy.

California is already experiencing a major problem in keeping the sealanes clear of obstructions, and a similar situation could easily develop on the East Coast.

The current policy for pipelines followed by the Galveston District Corps of Engineers, calls for a burial depth of 16½ feet in anchorages, 10 feet in the fairway, and only 3 feet outside fairways and anchorage areas. In water deeper than 200', pipelines are routinely laid exposed on the ocean floor. There are usually no requirements for a positive backfill to cover the pipeline, and there are no safety zones or buffer zones on either side of the fairways or anchorages:

The fact that we now have pipelines in anchorages, and buried at only 3 feet immediately outside anchorage areas with new applications being filed regularly for additional such pipelines, are of tremendous concern to us. We look upon this as a time bomb just waiting to go off.

We may mention that after a recent accident a vessel was abandoned, on fire, with the engine engaged making circles offshore Galveston at 3-4 knots and her starboard anchor out. It took 8 hours to stop the vessel. I hate to think of an anchor being dragged over a pipeline buried only 3' deep.

The fact that pipelines have been built, and several more are under consideration utilizing fairways to guide a pipeline through or around an anchorage is hardly much better.

To illustrate our concern, we submit exhibit "A" showing a pipeline built last year that for all practical purposes is fencing in a good part of the Matagorda anchorage, buried at 3'.

It seems like this set a new standard, because another permit was recently granted for a second pipeline that will be 100' away from the first pipeline, so now we will have a double fence. This second permit application is shown as exhibit "B".

As exhibit "C" we offer a pending permit application for the Galveston area that in a similar way would utilize the Galveston fairway as a right of way for a pipeline, then to be exposed at a 3 foot depth outside the anchorage of this extremely busy waterway.

To show the acceleration of this problem, we enclose a few more permit applications of recent date:

Exhibit "D" This permit, if granted would give us a pipeline immediately outside the Galveston anchorage exposed at 3' deep only.

Exhibit "E" Another pipeline that will originate inside the Galveston anchorage and be exposed at 3' depth immediately outside.

Exhibit "F" A pipeline that would cross a fairway in the South Pass area of Louisiana, one of the entrance passes to the Mississippi River, another extremely busy waterway.

Exhibit "G" This pipeline would cross every major waterway and fairway from South of Corpus Christi to Northwest of Galveston, hugging the coastline for 250 miles.

The most apprehension at this moment is caused by exhibit "C" in the Galveston fairway and anchorage. This is an extremely busy area serving Galveston, Texas City and Houston. At times as many as 50 vessels have been at anchor there, and 20-30 vessels is not unusual. Pipelines in fairways, anchorages or immediately outside an anchorage as they are currently being proposed constitutes an unacceptable risk. Vessels are getting bigger and bigger, thereby increasing the size of anchors and their penetrating ability. Further, several of the major ports in the West Gulf have expansion projects either planned or underway that would allow for routine passage of much larger vessels than those utilizing these ports today. Some years ago an analysis was made of certain areas in the Galveston anchorage/fairway.

From the graph enclosed as exhibit "H" you will note that anchors from 10,000 lbs. and up will penetrate well beyond burial depths being practiced by present policy. We have marked those depths on the graph.

On any given day, looking at the radar scope of the U. S. Coast Guard Houston/Galveston Vessel Traffic Service, one can see vessels anchored in areas where these pipelines may cross. Some vessels are anchored in the fairway, some vessels are anchored outside the anchorage areas. This is partly due to the fact that neither fairways nor anchorages are marked, and partly because pin-pointing your ship's position to within a few yards is generally not possible.

During the last 6 months, there have been 12 permit applications filed to construct pipelines that would in varying degrees be considered hazards to navigation. The varying degree of hazard goes from a routine crossing of a fairway to the pipeline presently proposed in and around the Galveston anchorage area.

Permit applications for structures and drilling platforms are received on a regular basis showing how platforms will continue to be located very close to fairways both close in shore and further out into the gulf.

The current policy being followed by the Corps of Engineers calls for drilling platforms and structures to be at least 2 miles apart in the anchorage areas, but drilling or production complexes, when connected by walkways are considered as one structure for spacing purposes. This effectively narrows the clearance between complexes considerably, up to maximum allowed of 1000 yards. We enclose exhibit "I" to show such a complex.

Although no structures are allowed in the fairway, they are right next to the fairways, thereby, effectively narrowing the fairway space available for navigation, and there are no limitations as to how many obstructions can be allowed in an anchorage. We may mention that the Captain of the Port, U. S. Coast Guard, Galveston is of the opinion structures and rigs should be banned from anchorages period, and he is on record accordingly. We certainly would welcome such a position --it deserves the Committee's serious consideration.

We believe this problem is more acute in the Gulf of Mexico, particularly the mid and west gulf, than in any other area of this country, although, as stated before, we understand the same concerns are now demanding attention on the West Coast, presently in an effort to preserve sufficient navigable water free from structures and platforms, but once oil or gas is found, pipelines will follow.

According to available statistics Texas is the leading State in the Nation in waterborne commerce, followed closely by Louisiana. Adding California, we find that these 3 states experiencing difficulties in safe navigation account for 35% of our waterborne commerce.

Matching this with the fact that the Gulf Coast also by far has the largest activity in offshore exploration and production, with 2,200 structures currently in the Gulf of Mexico, one will realize that the problem now appearing on the horizon is indeed acute.

In a recent report issued by the National Transportation Safety Board, it is stated that 42 pipeline accidents have been recorded over the past 12 years in the Gulf of Mexico by the U. S. Geological Survey. The most recent of a serious nature occurred

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in July of 1979 when a grappling hook from an anchor handling boat picked up a pipeline from the ocean floor and ruptured it as it was being pulled up. The resulting fire caused a million and a half dollars worth of damage and more seriously, two (2) of the seven (7) crewmembers that were washed or jumped overboard were never recovered. This was probably a freak accident, however, pipelines are now being proposed where vessels anchor daily.

About two years ago, a story was relayed to us by Department of Interior Personnel that several deep trenches had been found in the Gulf of Mexico sea bed. One such trench was about 15-20' deep.

The conclusion was that these trenches were a result of ships anchors. Large tankers, too large to call at any gulf port utilized the area to lighter their cargo into smaller vessels, an operation still going on today.

We understand that what is referred to as a "Sonar Scan" is regularly taken of the sea bottom in different areas. These scans are quite accurate and will show clearly changes to, and the configuration of the sea bottom.

We have such a scan of block 472 West Cameron, offshore Louisiana that show around 50 different scar marks. These scar marks are referred to by the Bureau of Land Management as anchor drags and one trench is shown to be about 2 meters deep by 7 meters wide, or roughly 7' by 22'.

Talking to people performing such sonar scans leaves no doubt that ships anchors leave trenches far deeper than pipeline burial standard required today.

We believe this clearly shows why we are concerned about laying pipelines in waters where vessels anchor.

We ask you kindly to keep in mind that the specific problem we are addressing today is rather new in nature, and our real objective is to avoid creating hazards we do not need and that could have been avoided. The anchorage areas have up to very recently been kept clear of pipelines, wherefore, the problem has not existed, and the fairway crossing standard of 10 feet was intended for crossing only, and not for using the fairway as a pipeline corridor. Our concern is what the future is bound to bring if pipelines are allowed where ships not only routinely anchor, but where they are invited and ordered to drop anchor, and particularly in areas where concentration of traffic is so great that the probability of a vessel having to take emergency action, such as dropping her anchor, prevails on a regular basis. Due to increased traffic and congestion, it may come a day when an authority, such as the Coast Guard, will direct vessels to a specific spot for anchoring. I would hate to be the one issuing that order in an anchorage crisscrossed by pipelines at 16½ feet.

The West Gulf Maritime Association offer the following suggestions:

1. Establishing a uniform national policy with respect to pipelines underneath and across fairways and anchorages. If there are overlapping jurisdictions of the U. S. Coast Guard, the Department of the Interior, the U. S. Corps of Engineers, etc., to the extent that it can only be resolved by legislation, the new legislation should be sought.
2. This national policy, adjusted for local conditions, should be part of the invitations to the oil industry to bid on offshore leases so that they are aware of the restrictions and/or additional cost in production when oil or gas is found in these restricted areas.
3. We recommend that an appropriate agency of the U. S. Government conduct several anchor penetration tests where the pipelines are to be laid at offshore locations to determine what would be considered a safe depth to bury and cover pipelines to protect them from damage by ships anchors, and that such depths in shipping fairways and anchorages be specified in the applicable regulations covering permits.

   Until such time that complete and reliable tests are available, we recommend that 25 feet be considered the minimum depth of placing a pipeline in areas where vessels navigate.

4. We recommend that pipelines which cross safety fairways and/or anchorages should be buried and covered for a distance of at least three thousand (3,000) feet on both sides of the fairway and within at least three thousand (3,000) feet of the boundaries of anchorage areas. Drilling or exploration platforms and structures should also be kept this distance away from fairways in order for the fairway to be useable in its designated width.

The national policy covering pipelines in and across anchorages should be based on the requirement of burial and covering of such pipelines to a safe depth as determined by the anchor penetration tests in each anchorage. In addition, we would like to see as a matter of policy each permit issued to lay a pipeline anywhere in an anchorage area be conditioned on 1) the owner of the pipeline accepting all consequences, financial and otherwise, which might result from the risk assumed by laying a pipeline in an anchorage area, and 2) in any event indemnifying and holding harmless any shipowner and his ship which might damage such pipelines in the anchorage.

We realize that this is a rather broad immunization of the shipowners, but when the potential liability of the shipowner is considered (i.e. damage to a pipeline, loss of product, cost of repairing the pipeline, pollution liability, damage to the ship, not to talk about loss of life, etc.), the reasoning behind the recommended policy is more clearly understood, particularly since the vessel anchorage have been set aside for that very purpose, so that the ship could anchor in safety.

We urge that the Coast Guard take control over this problem as it relates to safe navigation, and in conjunction with the Corps of Engineers work out a safe route for the pipeline to follow. Conduct sufficient research to establish what will be considered safe burial depth of pipelines when they have to be in an anchorage area and when they have to cross a fairway. Establish a safe buffer zone, we suggest 3,000 feet, on either side of the fairway or an anchorage area where the same burial depth should prevail and establish logical procedures for routing pipelines inbetween and around fairways and anchorage areas.

What is needed for safe passage and anchorage is such a small area that it must be preserved. This can be done without depriving our nation of vitally needed oil and gas resources, and it is vital in continuing our normal flow of domestic, as well as international commerce.

Please keep in mind that fairways and anchorage areas are not navigated by coincidence or by chance. This is where we are telling and inviting the Master Mariner to proceed in the belief that he can feel safe and confident, doing exactly what he has been requested to do.

West Gulf Maritime Association would like to offer another recommendation relating to navigational safety off Galveston. As you may know, several collisions during the last year in this general area have caused substantial loss of life, damage and pollution.

In order to minimize chances for such tragedies in the future, the West Gulf Maritime Association urge that a safety zone be established between the current sea buoy and another buoy that should be placed about 2 miles further to seaward. Within this zone, only vessels with pilot onboard or vessels that have been cleared to proceed to pick up the pilot should navigate. There should be no vessels anchored, no general milling about, no lengthening of tows or any other activities in this zone.

For this to be administered and policed, we believe the Coast Guard and its Vessel Traffic Service to a large extent already have the required apparatus in place. The official and legal authority to tell vessels what to do is however lacking, and we therefore urge that the line of demarcation be moved so that the area where this safety zone is established is within the line of demarcation and the Coast Guard jurisdiction.

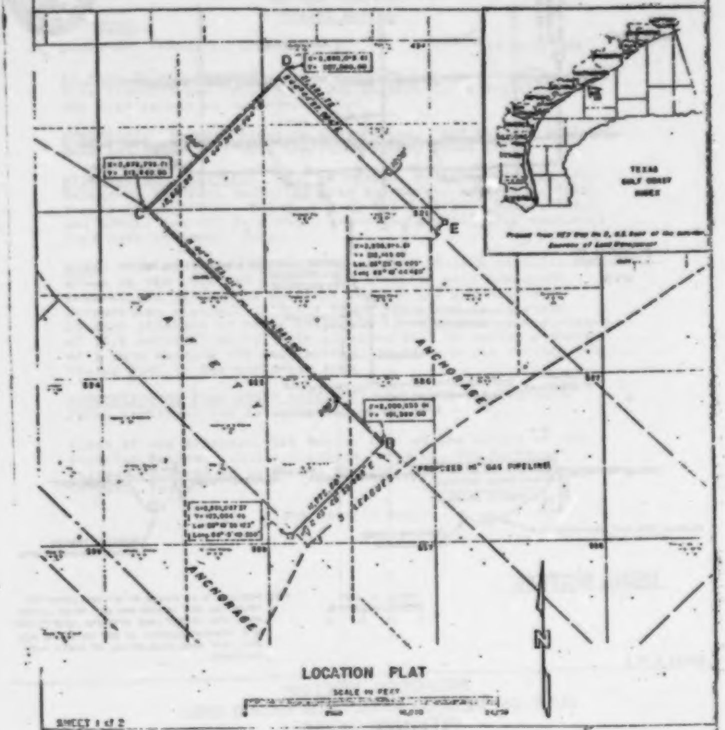
It is only too tempting to use this opportunity also to express our concern about the discrepancy between the ever inceased workload and area on responsibility placed on the Coast Guard, not being matched with available funds. It appears to us that the result is less funds available for such critical items as aids to navigation and repairs of damaged aids. We fully realize that funds are limited, not only for the Coast Guard, but for the Nation, but we urge that emphasis be given on having sufficient funds available to properly maintain and improve aids to navigation on all our important waterways, and to make sure the approaches to our ports are as safe as they can possibly be.

The short term, easily implemented recommendations above, should be followed up with substantial long term planning and improvements. This may involve large buoys at regular intervals to provide a traffic separation scheme, or placing of large permanent lighthouse type structures at strategic locations.

With exception of the racon beacon installed last year off Galveston after 3 years of trying to find money, the chart covering Galveston approaches look about the same today as it did in the 1920's, when it comes to navigational aids.

Again, we wish to thank you for this opportunity to make a presentation before the Committee, and gladly offer any additional information you may wish that can aid you in your evaluation of the problems presented.

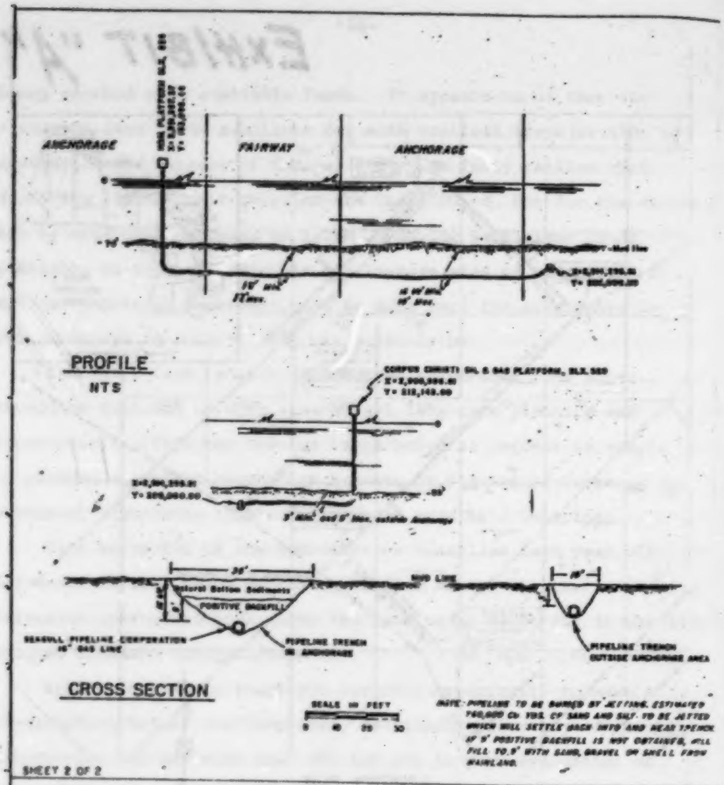
EXHIBIT "A"


C
D
E
ANCHORAGE
ANCHORAGE
PROPOSED 10" GAS PIPELINE
TEXAS
GULF COAST
INDEX
N
SCALE IN FEET

LOCATION PLAT

SHEET 1 of 2

PROPOSED PIPELINE
GULF OF MEXICO - MATAGORDA ISLAND AREA
OFFSHORE TEXAS
APPLICATION BY: SEAGULL PIPELINE CORPORATION
HOUSTON, TEXAS
DATE 12-14-77


ANCHORAGE
FAIRWAY
ANCHORAGE
Mud line
PROFILE
NTS
CORPUS CHRISTI OIL & GAS PLATFORM, BLK. 559
Natural Bottom Sediments
POSITIVE BACKFILL
36'
MUD LINE
SEAGULL PIPELINE CORPORATION
16" GAS LINE
PIPELINE TRENCH
IN ANCHORAGE
PIPELINE TRENCH
OUTSIDE ANCHORAGE AREA
CROSS SECTION
SCALE IN FEET
0
10
20
30
NOTE: PIPELINE TO BE BURIED BY JETTING. ESTIMATED 760,000 CU. YDS. OF SAND AND SILT TO BE JETTED WHICH WILL SETTLE BACK INTO AND NEAR TRENCH. IF 9' POSITIVE BACKFILL IS NOT OBTAINED, WILL FILL TO 9' WITH SAND, GRAVEL OR SHELL FROM MAINLAND.
SHEET 2 OF 2

PROPOSED PIPELINE
GULF OF MEXICO- MATAGORDA ISLAND AREA
OFFSHORE TEXAS
APPLICATION BY: SEAGULL PIPELINE CORPORATION
HOUSTON, TEXAS

EXHIBIT "B"

DEPARTMENT OF THE ARMY
GALVESTON DISTRICT, CORPS OF ENGINEERS
P.O. BOX 1229
GALVESTON, TEXAS 77553

PUBLIC NOTICE

REPLY TO
ATTENTION OF:

SWGCO-RP, PERMIT APPLICATION-14321 17 March 1980

To Whom It May Concern:
This district has received an application for a Department of the Army permit as described below:

APPLICANT: Seagull Pipeline Corporation, 1800 Capital National Bank Building, 1300 Main Street, Houston, Texas 77002.

WATERWAY AND LOCATION: Gulf of Mexico, Matagorda Island Area, Matagorda Entrance Anchorage Area and Safety Fairway in State Tracts 526-L, 521-L, 522-L, 623-S, 622-S, 619-S, 620-S, 609-S and 484-L, central to a point approximately 11 miles southeast from Port O'Connor, Texas.

WORK: The applicant proposes to place a 20-inch pipeline as shown on the attached plans. The pipeline will transport natural gas between an existing Houston Oil and Minerals Corporation platform in State Tract 526-L and an existing 20-inch pipeline in State Tract 484-L, an approximate distance of 10.2 nautical miles. The pipeline will be buried a minimum of 3 feet beneath the Gulf bottom, 10 feet in the fairway and 16-1/2 feet in the anchorage area.

AUTHORIZATION FROM OTHER AGENCIES: Railroad Commission of Texas certification is required.

Plans of the proposed work may be seen at the office of the District Engineer in the Essayons Building, 400 Barracuda, Galveston, Texas or at Corpus Christi Area Office, Corpus Christi, Texas.

(See Reverse Side)

A preliminary review of this application indicates that an Environmental Impact Statement is not required. Since permit assessment is a continuing process, this preliminary determination of EIS requirement will be changed if data or information brought forth in the coordination process is of a significant nature.

This application will be processed pursuant to Section 10 of the River and Harbor Act of 1899.

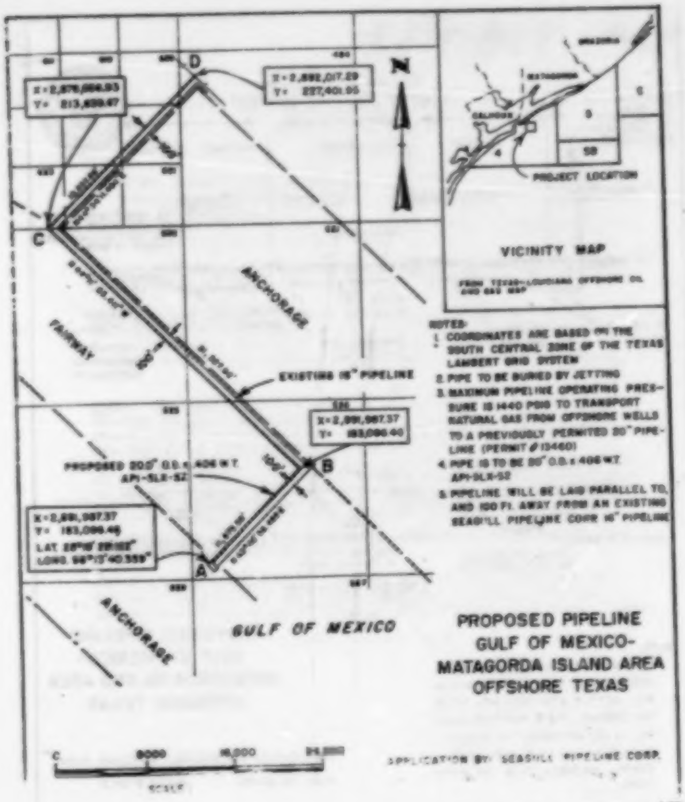
The District Engineer has consulted the latest published version of the National Register of Historic Places and has determined that registered properties are either absent or not affected by the proposed work. The nature, scope and magnitude of the proposed work is such that no further review is warranted at this time.

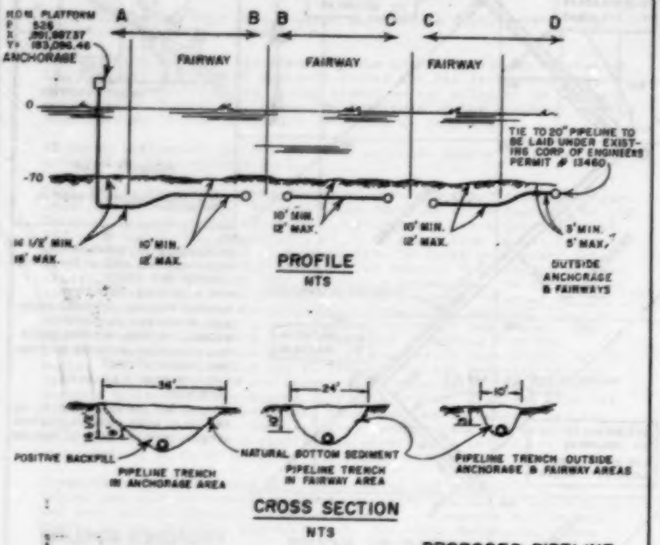
No known endangered species or their critical habitat will be affected by the proposed work.

This public notice is being distributed to all known interested persons in order to assist in developing facts on which decision by the Corps of Engineers can be based. For accuracy and completeness of the record, all data in support of or in opposition to the proposed work should be submitted in writing setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition. The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered; among those are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use classification, navigation, recreation, water supply, water quality, and, in general, the needs and welfare of the people. No permit will be granted unless its issuance is found to be in the public interest.

Comments on these factors will be accepted and made part of the record and will be considered in determining whether it would be in the best public interest to grant a permit. Comments must be submitted to the District Engineer, P.O. Box 1229, Galveston, Texas 77553, on or before 17 April 1980 . If there are any questions relative to this Public Notice, please contact Mr. Alan Sisselman at the above address or by telephone at 713-763-1211, extension 382.

DISTRICT ENGINEER
GALVESTON DISTRICT
CORPS OF ENGINEERS


D
X = 2,892,017.29
Y = 227,401.95
X = 2,876,004.93
Y = 213,859.67
N
C
ANCHORAGE
FAIRWAY
EXISTING 16" PIPELINE
X = 2,891,987.37
Y = 193,096.40
B
PROPOSED 20.0" O.D. x .406 W.T.
API-5LX-52
100'
X = 2,891,987.37
Y = 193,096.49
LAT. 28°18' 28.102"
LONG. 96°13' 40.359"
A
ANCHORAGE
GULF OF MEXICO
MATAGORDA
CALHOUN
PROJECT LOCATION
VICINITY MAP
FROM TEXAS-LOUISIANA OFFSHORE OIL AND GAS MAP
NOTES:
1. COORDINATES ARE BASED ON THE SOUTH CENTRAL ZONE OF THE TEXAS LAMBERT GRID SYSTEM
2. PIPE TO BE BURIED BY JETTING
3. MAXIMUM PIPELINE OPERATING PRESSURE IS 1440 PSIG TO TRANSPORT NATURAL GAS FROM OFFSHORE WELLS TO A PREVIOUSLY PERMITED 20" PIPELINE (PERMIT # 13460)
4. PIPE IS TO BE 20" O.D. x .406 W.T. API-5LX-52
5. PIPELINE WILL BE LAID PARALLEL TO, AND 100 FT. AWAY FROM AN EXISTING SEAGULL PIPELINE CORP. 16" PIPELINE
PROPOSED PIPELINE
GULF OF MEXICO-
MATAGORDA ISLAND AREA
OFFSHORE TEXAS
0
8000
16,000
24,000
SCALE
APPLICATION BY: SEAGULL PIPELINE CORP.


H.O.M. PLATFORM
P 525
X 201,987.37
Y = 183,096.46
ANCHORAGE
A
B
B
C
C
D
FAIRWAY
FAIRWAY
FAIRWAY
0
-70
TIE TO 20" PIPELINE TO BE LAID UNDER EXISTING CORP OF ENGINEERS PERMIT # 13460
14 1/2' MIN.
16' MAX.
10' MIN.
12' MAX.
10' MIN.
12' MAX.
10' MIN.
12' MAX.
3' MIN.
5' MAX.
OUTSIDE ANCHORAGE & FAIRWAYS
PROFILE
NTS
36'
24'
10'
14 1/2'
9'
10'
3'
POSITIVE BACKFILL
NATURAL BOTTOM SEDIMENT
PIPELINE TRENCH IN ANCHORAGE AREA
PIPELINE TRENCH IN FAIRWAY AREA
PIPELINE TRENCH OUTSIDE ANCHORAGE & FAIRWAY AREAS
CROSS SECTION
NTS

NOTE:
PIPELINE TO BE BURIED BY JETTING. SAND AND SILT TO BE JETTED, WHICH WILL SETTLE BACK INTO AND NEAR THE TRENCH. IF A 9' POSITIVE BACKFILL IS NOT OBTAINED, THE TRENCH WILL BE FILLED TO 9' WITH SAND, GRAVEL, OR SHELL FROM THE MAINLAND.

PROPOSED PIPELINE
GULF OF MEXICO-
MATAGORDA ISLAND AREA
OFFSHORE TEXAS

APPLICATION BY: SEAGULL PIPELINE CORP.
DATE 2-16-80 SHEET 2 OF 2

EXHIBIT "C"

DEPARTMENT OF THE ARMY
GALVESTON DISTRICT, CORPS OF ENGINEERS
P.O. BOX 1229
GALVESTON, TEXAS 77553

REPLY TO ATTENTION OF:

PUBLIC NOTICE

SWGCO-RP, PERMIT APPLICATION-13992 29 October 1979

To Whom It May Concern:
This district has received an application for a Department of the Army permit as described below:

APPLICANT: Northern Natural Gas Company, 2223 Dodge Street, Omaha, Nebraska 68102.

WATERWAY AND LOCATION: Gulf of Mexico, Galveston Area, Galveston East Anchorage Area, and Galveston Fairway in State Tracts 99, 100, 102, 103, 144, 145 and Federal Block 144, central to a point approximately 8 miles east from Galveston, Texas.

WORK: The applicant proposes to construct a 6-inch and a 10-inch neutral gas pipeline as shown on the attached plans. The 6-inch pipeline will be 3.05 miles long and will connect Gxy Petroleum Platform B-1 to Platform A-2. The 10-inch pipeline will be 13.8 miles long and will connect platform A-2 to the existing 16" Black Marlin pipeline. The pipelines will be buried to a minimum of 3 feet beneath the Gulf bottom, 10 feet in the Fairway and 16.5 feet in the Anchorage Area.

AUTHORIZATION FROM OTHER AGENCIES: Texas Railroad Commission certification required.

Plans of the proposed work may be seen at the office of the District Engineer in the Essayons Building, 400 Barracuda, Galveston, Texas or at Fort Point Area Office, Galveston, Texas.

(See Reverse Side)

Environmental impact has been considered in Environmental Impact Statement, Crude Oil and Natural Gas Production in Navigable Waters along the Texas Coast.

The application will be processed pursuant to Section 10 of the River and Harbor Act of 1899 and Section 404 of the Clean Water Act. Any person may request a public hearing. The request must be submitted in writing to the District Engineer within thirty days of the date of this notice and must clearly set forth with particularity the reasons for holding a public hearing.

Evaluation of the probable impacts involving deposits or discharge of dredged material into navigable waterways will include the application of guidelines established by the Administrator of the Environmental Protection Agency.

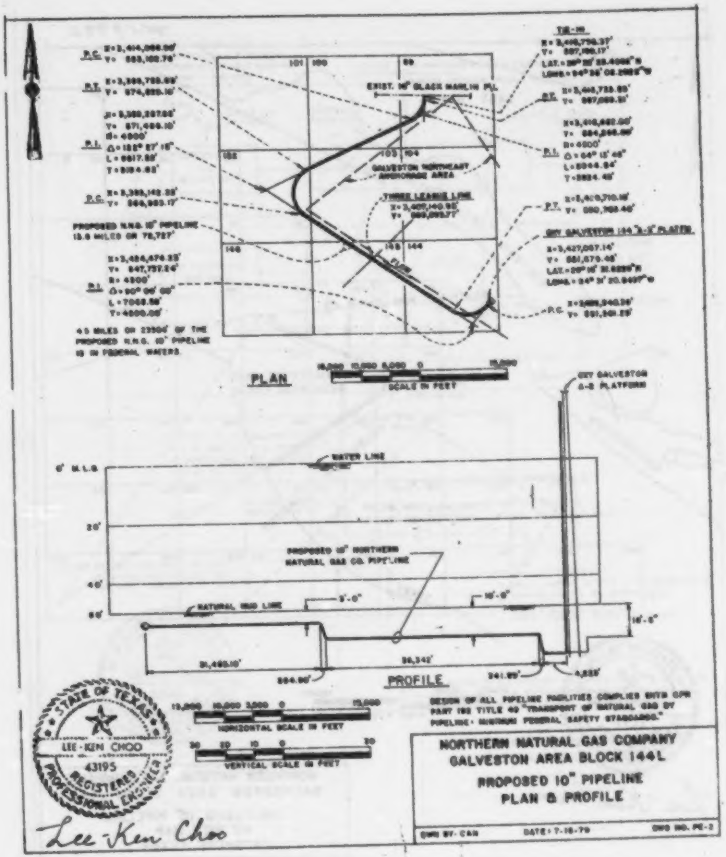
The District Engineer has consulted the latest published version of the National Register of Historic Places and has determined that registered properties are either absent or not affected by the proposed work. Presently unknown archeological, scientific, prehistorical or historical data may be lost or destroyed by work to be accomplished under the requested permit.

No known endangered species or their critical habitat will be affected by the proposed work.

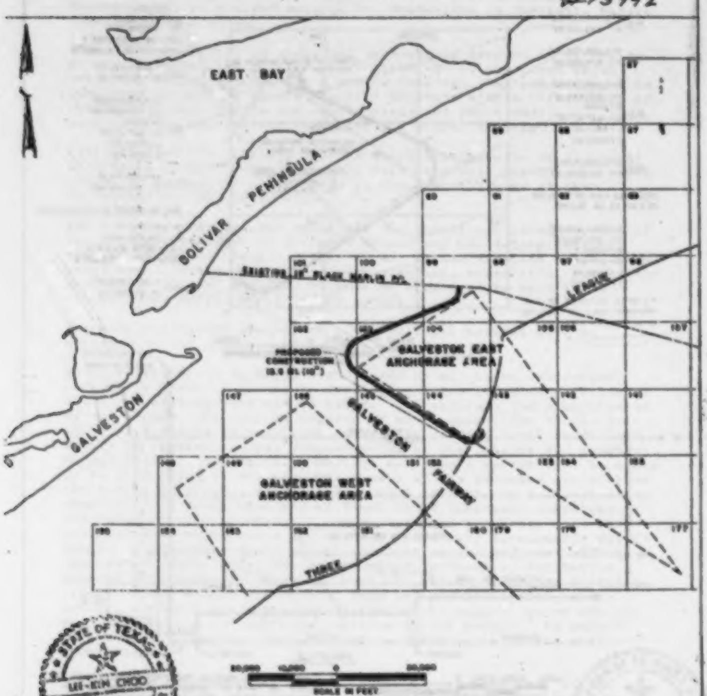
This public notice is being distributed to all known interested persons in order to assist in developing facts on which decision by the Corps of Engineers can be based. For accuracy and completeness of the record, all data in support of or in opposition to the proposed work should be submitted in writing setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition. The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered; among those are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use classification, navigation, national security, recreation, water supply, water quality, and, in general, the needs and welfare of the people. No permit will be granted unless its issuance is found to be in the public interest.

Comments on these factors will be accepted and made part of the record and will be considered in determining whether it would be in the best public interest to grant a permit. Comments must be submitted to the District Engineer, P.O. Box 1229, Galveston, Texas 77553, on or before 29 November 1979. If there are any questions relative to this Public Notice, please contact Mr. Alan Sisselman at the above address or by telephone at 713-763-1211, extension 382.

DISTRICT ENGINEER
GALVESTON DISTRICT
CORPS OF ENGINEERS


P.C. X=3,414,066.00' Y= 583,102.78'
P.T. X=3,386,755.09' Y= 574,820.10'
X=3,380,287.03' Y= 571,486.10' R=4500' P.I. Δ=122° 27' 16" L=9617.30' T=8104.62'
P.C. X=3,388,142.32' Y= 566,983.17'
PROPOSED N.N.G. 10" PIPELINE 13.8 MILES OR 72,727'
X=3,424,474.23' Y= 547,757.24' R=4500' P.I. Δ=90° 00' 00" L=7068.58' T=4500.00'
4.5 MILES OR 23506' OF THE PROPOSED N.N.G. 10" PIPELINE IS IN FEDERAL WATERS.
101
100
99
102
103
104
146
145
144
EXIST. 16" BLACK MARLIN P.L.
GALVESTON NORTHEAST ANCHORAGE AREA
THREE LEAGUE LINE X=3,407,140.95' Y= 560,093.77'
FLOW
TIE-IN X=3,410,758.37' Y= 587,190.17' LAT.=29° 18' 28.4066" N LONG.=94° 28' 08.2988" W
P.T. X=3,410,723.85' Y= 587,088.31'
X=3,416,482.00' Y= 584,246.00' R=4500' P.I. Δ=64° 13' 46" L=5044.84' T=2824.45'
P.T. X=3,410,710.16' Y= 550,703.46'
CIT GALVESTON 144 "A-2" PLATFORM X=3,427,067.14' Y= 551,679.48' LAT.=29° 16' 31.6229" N LONG.=94° 31' 20.0497" W
P.C. X=3,425,240.36' Y= 551,361.28'
PLAN
15,000 10,000 5,000 0 15,000
SCALE IN FEET
CIT GALVESTON A-2 PLATFORM
0' M.L.W.
WATER LINE
20'
40'
60'
PROPOSED 10" NORTHERN NATURAL GAS CO. PIPELINE
NATURAL MUD LINE
3'-0"
10'-0"
16'-0"
31,493.10'
394.90'
36,342'
341.95'
4,825'
PROFILE
15,000 10,000 5,000 0 15,000
HORIZONTAL SCALE IN FEET
30 20 10 0 30
VERTICAL SCALE IN FEET
DESIGN OF ALL PIPELINE FACILITIES COMPLIES WITH CFR PART 192 TITLE 49 "TRANSPORT OF NATURAL GAS BY PIPELINE: MINIMUM FEDERAL SAFETY STANDARDS."
NORTHERN NATURAL GAS COMPANY
GALVESTON AREA BLOCK 144L
PROPOSED 10" PIPELINE
PLAN & PROFILE
DWN BY: CAN
DATE: 7-18-79
DWG NO. PE-2
LEE-KEN CHOO
43195
Lee-Ken Choo

[illegible]/3992


EAST BAY
BOLIVAR PENINSULA
GALVESTON
EXISTING 12" BLACK MARLIN P.L.
PROPOSED CONSTRUCTION
GALVESTON EAST ANCHORAGE AREA
GALVESTON WEST ANCHORAGE AREA
GALVESTON FAIRWAY
THREE LEAGUE
100
104
107
160
179
177
0
SCALE IN FEET

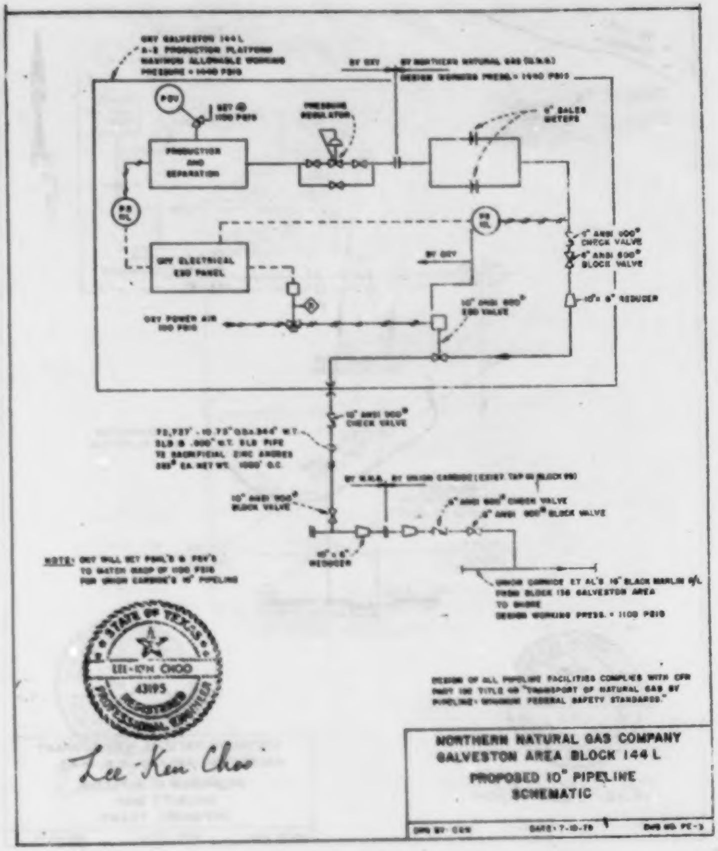
LEE-KIN CHOO
43193

Lee-Ken Choo

NORTHERN NATURAL GAS COMPANY
GALVESTON AREA BLOCK 144L

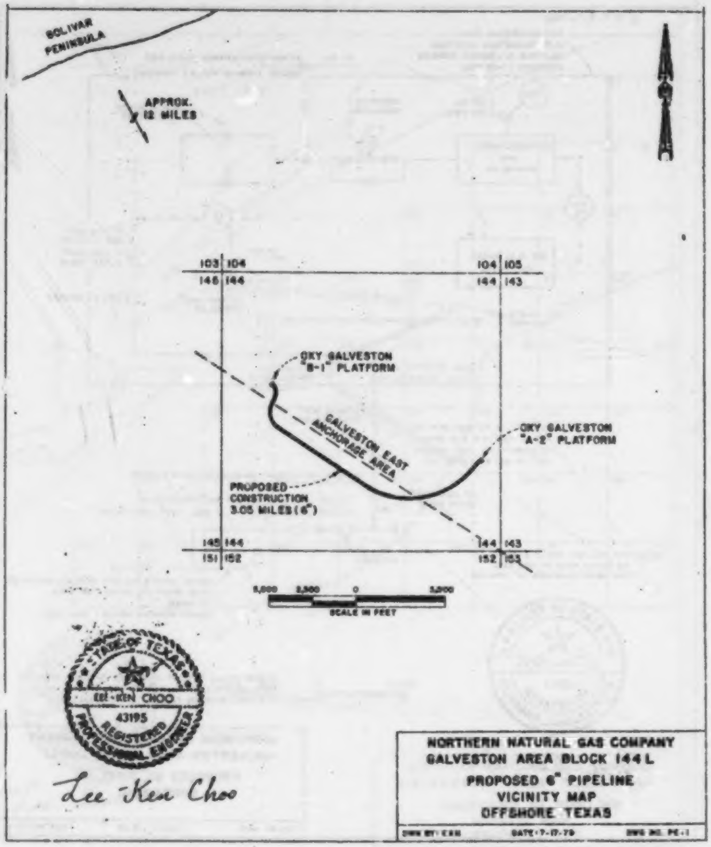
PROPOSED 1?" PIPELINE
VICINITY MAP
OFFSHORE TEXAS

DWG BY: CAH DATE: [illegible] DWG NO. PE-1


A-2 PRODUCTION PLATFORM
MAXIMUM ALLOWABLE WORKING PRESSURE = 1440 PSIG
BY NORTHERN NATURAL GAS (N.N.G.)
DESIGN WORKING PRESS. = 1440 PSIG
PSV
SET @ 1100 PSIG
PRESSURE REGULATOR
6" SALES METERS
PRODUCTION AND SEPARATION
ELECTRICAL ESD PANEL
CHECK VALVE
BLOCK VALVE
10" x 6" REDUCER
POWER AIR 100 PSIG
10" ANSI 600# ESD VALVE
10" ANSI 900# CHECK VALVE
72,727' - 10.75" O.D. x .344" W.T.
SACRIFICIAL ZINC ANODES
10" ANSI 900# BLOCK VALVE
BY N.N.G. BY UNION CARBIDE (EXIST TAP IN BLOCK 99)
6" ANSI 900# CHECK VALVE
6" ANSI 900# BLOCK VALVE
10" x 6" REDUCER
UNION CARBIDE ET AL'S 16" BLACK MARLIN P/L
FROM BLOCK 139 GALVESTON AREA
TO SHORE
DESIGN WORKING PRESS. = 1100 PSIG
NOTE: WILL SET PSHL'S & PSV'S TO MATCH MAOP OF 1100 PSIG FOR UNION CARBIDE'S 16" PIPELINE
DESIGN OF ALL PIPELINE FACILITIES COMPLIES WITH CFR PART 192 TITLE 49 "TRANSPORT OF NATURAL GAS BY PIPELINE: MINIMUM FEDERAL SAFETY STANDARDS."
NORTHERN NATURAL GAS COMPANY
GALVESTON AREA BLOCK 144 L
PROPOSED 10" PIPELINE
SCHEMATIC
DATE: 7-10-78
DWG NO. PE-3

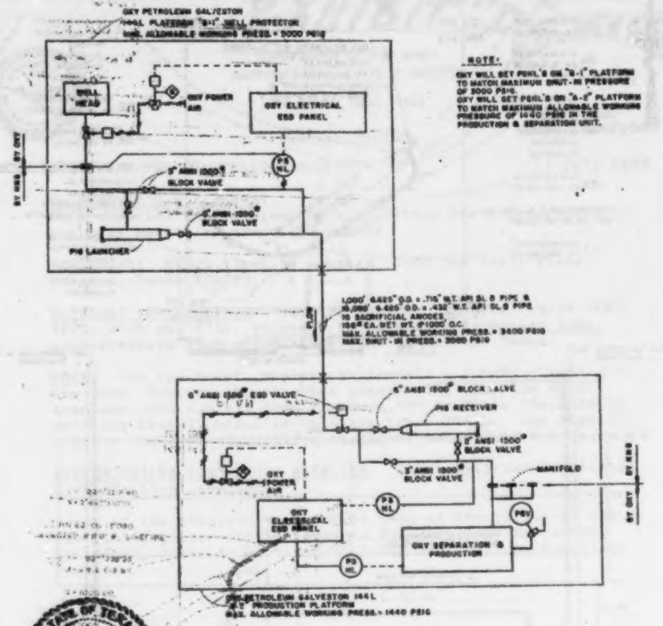
LEE-KEN CHOO
43195

Lee-Ken Choo


BOLIVAR PENINSULA
APPROX. 12 MILES
103 104
145 144
104 105
144 143
OXY GALVESTON "B-1" PLATFORM
GALVESTON EAST ANCHORAGE AREA
OXY GALVESTON "A-2" PLATFORM
PROPOSED CONSTRUCTION 3.05 MILES (6")
145 144
151 152
144 143
152 153
5,000 2,500 0 5,000
SCALE IN FEET
NORTHERN NATURAL GAS COMPANY
GALVESTON AREA BLOCK 144 L
PROPOSED 6" PIPELINE
VICINITY MAP
OFFSHORE TEXAS
DWN BY: CAH
DATE: 7-17-79
DWG NO. PE-1

LEE-KEN CHOO
43195

Lee Ken Choo


GKY PETROLEUM GALVESTON
144L PLATFORM "B-1" WELL PROTECTOR
MAX. ALLOWABLE WORKING PRESS. = 5000 PSIG
WELL HEAD
GKY POWER AIR
GKY ELECTRICAL ESD PANEL
BY NNG BY GKY
PS HL
2" ANSI 1500# BLOCK VALVE
2" ANSI 1500# BLOCK VALVE
PIG LAUNCHER
1,000' 6.625" O.D. x .718" W.T. API 5L B PIPE &
15,000' 6.625" O.D. x .432" W.T. API 5L B PIPE
16 SACRIFICIAL ANODES
186# EA. NET WT. @1000' O.C.
MAX. ALLOWABLE WORKING PRESS. = 3400 PSIG
MAX. SHUT-IN PRESS. = 3000 PSIG
6" ANSI 1500# ESD VALVE
6" ANSI 1500# BLOCK VALVE
PIG RECEIVER
2" ANSI 1500# BLOCK VALVE
2" ANSI 1500# BLOCK VALVE
MANIFOLD
GKY POWER AIR
GKY ELECTRICAL ESD PANEL
PS HL
PSV
GKY SEPARATION & PRODUCTION
PS HL
BY NNG BY GKY
GKY PETROLEUM GALVESTON 144L
"A-2" PRODUCTION PLATFORM
MAX. ALLOWABLE WORKING PRESS. = 1440 PSIG

NOTE:

GKY WILL SET PSHL'S ON "B-1" PLATFORM TO MATCH MAXIMUM SHUT-IN PRESSURE OF 5000 PSIG.
GKY WILL SET PSHL'S ON "A-2" PLATFORM TO MATCH MAXIMUM ALLOWABLE WORKING PRESSURE OF 1440 PSIG IN THE PRODUCTION & SEPARATION UNIT.

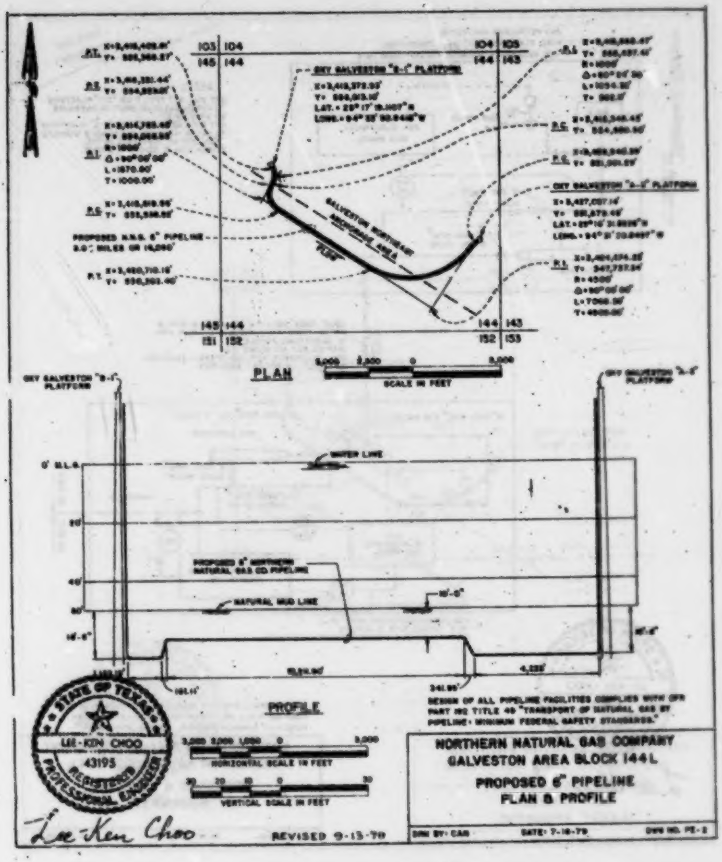
DESIGN OF ALL PIPELINE FACILITIES COMPLIES WITH CFR PART 192 TITLE 49 "TRANSPORT OF NATURAL GAS BY PIPELINE: MINIMUM FEDERAL SAFETY STANDARDS."

NORTHERN NATURAL GAS COMPANY
GALVESTON AREA BLOCK 144 L
PROPOSED 6" PIPELINE
SCHEMATIC

DWN BY: [illegible] DATE: 7-30-79 DWG NO. PL-3

LEE-KEN CHOO

Lee-Ken Choo


P.T. X=3,415,405.91' Y= 555,368.27'
P.C. X=3,416,351.44' Y= 554,589.60'
P.I. X=3,414,785.65' Y= 554,068.55' R=1000' Δ=90°00'00" L=1570.80' T=1000.00'
P.C. X=3,418,619.96' Y= 555,596.92'
PROPOSED N.N.G. 6" PIPELINE 3.0'± MILES OR 16,090'
P.T. X=3,420,710.16' Y= 550,202.40'
103 104
145 144
104 105
144 143
GKY GALVESTON "B-1" PLATFORM
X=3,418,372.93' Y= 556,913.10' LAT.= 29° 17' 19.1107" N LONG.= 94° 55' 50.9448" W
P.I. Y= 558,537.41' R=1000' Δ=90° 51' 30" L=1034.52' T= 965.11'
P.C. Y= 554,880.50'
P.C. Y= 551,051.29'
GKY GALVESTON "A-2" PLATFORM
X= 3,427,007.14' Y= 551,573.45' LAT.=29°16' 31.8938" N LONG.= 94° 51' 20.8497" W
P.I. Y= 547,757.54' R=4500' Δ=90°00'00" L=7068.58' T=4500.00'
GALVESTON NORTHEAST ANCHORAGE AREA
"FLOW"
145 144
151 152
144 143
152 153
PLAN
SCALE IN FEET
GKY GALVESTON "B-1" PLATFORM
GKY GALVESTON "A-2" PLATFORM
0' M.L.G.
WATER LINE
20'
40'
50'
PROPOSED 6" NORTHERN NATURAL GAS CO. PIPELINE
NATURAL MUD LINE
10'-0"
16'-6"
161.11'
241.95'
4,235'
PROFILE
HORIZONTAL SCALE IN FEET
VERTICAL SCALE IN FEET
30 20 10 0 30
DESIGN OF ALL PIPELINE FACILITIES COMPLIES WITH CFR PART 192 TITLE 49 "TRANSPORT OF NATURAL GAS BY PIPELINE: MINIMUM FEDERAL SAFETY STANDARDS."
NORTHERN NATURAL GAS COMPANY
GALVESTON AREA BLOCK 144L
PROPOSED 6" PIPELINE
PLAN & PROFILE
REVISED 9-13-79
DATE: 7-18-79

LEE-KEN CHOO
43195

Lee-Ken Choo

EXHIBIT "D"

RECEIVED
JUL 17 1980
WEST GULF
MARITIME ASSOCIATION

DEPARTMENT OF THE ARMY
GALVESTON DISTRICT, CORPS OF ENGINEERS
P.O. BOX 1229
GALVESTON, TEXAS 77553

REPLY TO
ATTENTION OF:

PUBLIC NOTICE

SWGCO-RP, PERMIT APPLICATION-14575

16 July 1980

To Whom It May Concern:
This district has received an application for a Department of the Army permit as described below:

APPLICANT: MITCO Pipeline Company, 3900 One Shell Plaza, Houston, Texas 77002.

WATERWAY AND LOCATION: Gulf of Mexico, in State Tracts 188L, 189L, 213L and 214L, adjacent to Galveston Anchorage Area, approximately 11.4 miles south from Galveston, Texas.

WORK: The applicant proposes to install a 6-5/8" pipeline in the area shown on the attached plans. The pipeline will transport oil and gas from Platform "B" in Block 189-L to an existing Seagull pipeline in State Tract 214-L. The pipeline will be installed by jetting to 3 feet below Gulf bottom.

AUTHORIZATION FROM OTHER AGENCIES: Texas Railroad Commission certification received.

Plans of the proposed work may be seen at the office of the District Engineer in the Essayons Building, 400 Barracuda, Galveston, Texas or at the Fort Point Area Office, Galveston, Texas.

(See Reverse Side)

Environmental impact has been considered in Environmental Impact Statement, Crude Oil and Natural Gas Production in Navigable Waters along the Texas Coast.

This application will be processed pursuant to Section 10 of the River and Harbor Act of 1899.

Evaluation of the probable impacts involving deposits or discharge of dredged material into navigable waterways will include the application of guidelines established by the Administrator of the Environmental Protection Agency.

The District Engineer has consulted the latest published version of the National Register of Historic Places and has determined that registered properties are either absent or not affected by the proposed work. The nature, scope and magnitude of the proposed work is such that no further review is warranted at this time.

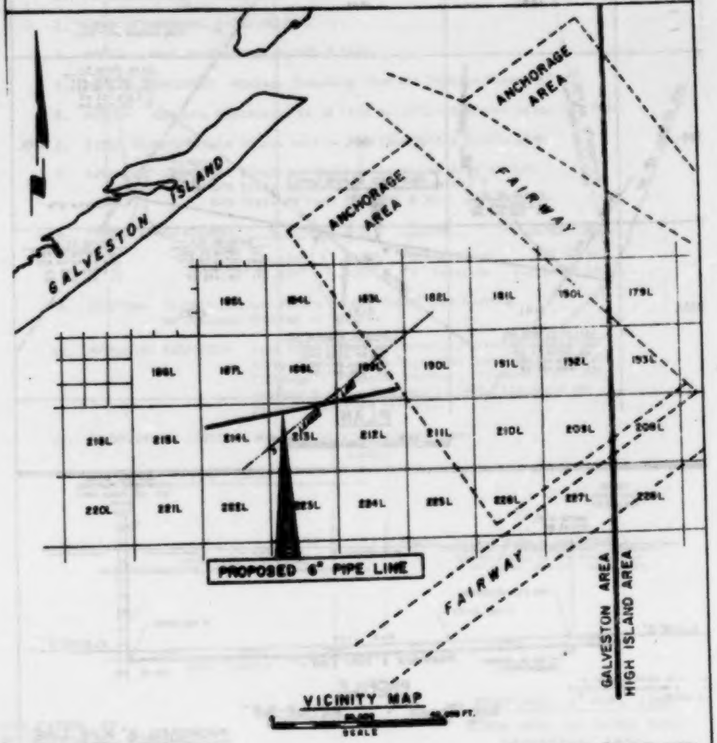
No known endangered species or their critical habitat will be affected by the proposed work.

This public notice is being distributed to all known interested persons in order to assist in developing facts on which decision by the Corps of Engineers can be based. For accuracy and completeness of the record, all data in support of or in opposition to the proposed work should be submitted in writing setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition. The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered; among those are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use classification, navigation, recreation, water supply, water quality, and, in general, the needs and welfare of the people. No permit will be granted unless its issuance is found to be in the public interest.

Comments on these factors will be accepted and made part of the record and will be considered in determining whether it would be in the best public interest to grant a permit. Comments must be submitted to the District Engineer, P.O. Box 1229, Galveston, Texas 77553, on or before 15 August 1980 . If there are any questions relative to this Public Notice, please contact Ms. Virginia Treworgy at the above address or by telephone at 713-763-1211, extension 382.

DISTRICT ENGINEER
GALVESTON DISTRICT
CORPS OF ENGINEERS

#1457

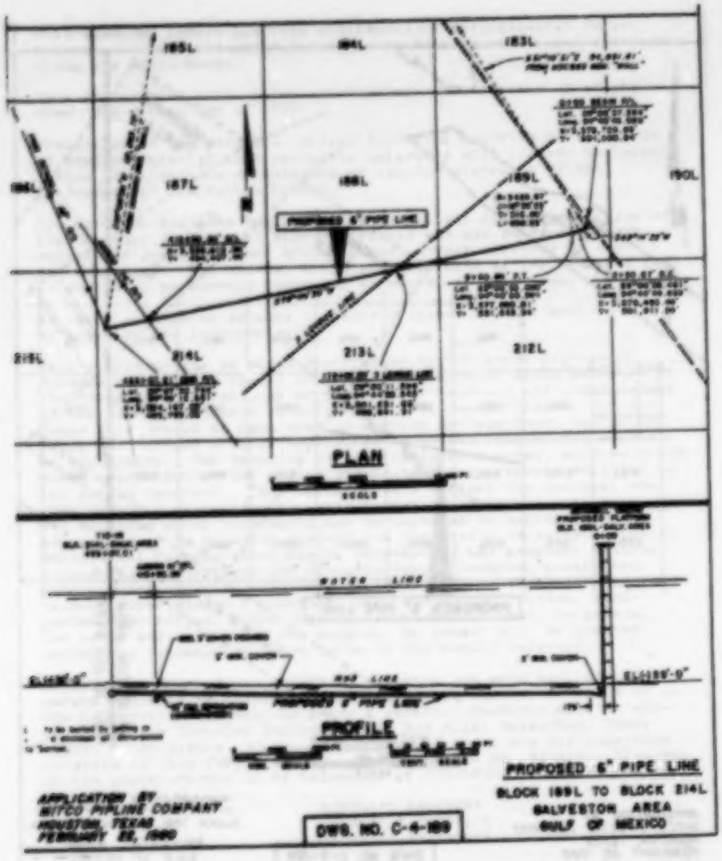

GALVESTON ISLAND
ANCHORAGE AREA
ANCHORAGE AREA
FAIRWAY
FAIRWAY
185L
184L
183L
182L
181L
180L
179L
186L
187L
188L
189L
190L
191L
192L
193L
216L
215L
214L
213L
212L
211L
210L
209L
208L
220L
221L
222L
223L
224L
225L
226L
227L
228L
PROPOSED 6" PIPE LINE
GALVESTON AREA
HIGH ISLAND AREA
SCALE

VICINITY MAP

PROPOSED 6" PIPE LINE
BLOCK 189L TO BLOCK 214L
GALVESTON AREA
GULF OF MEXICO

APPLICATION BY
MITCO PIPELINE COMPANY
HOUSTON, TEXAS
FEBRUARY 22, 1960

DWG. NO. C-3-189


185L
184L
183L
186L
187L
188L
189L
190L
215L
214L
213L
212L
PROPOSED 6" PIPE LINE
PLAN
SCALE
WATER LINE
MUD LINE
PROPOSED 6" PIPE LINE
PROFILE
HOR. SCALE
VERT. SCALE
PROPOSED 6" PIPE LINE
BLOCK 189L TO BLOCK 214L
GALVESTON AREA
GULF OF MEXICO
APPLICATION BY
MITCO PIPLINE COMPANY
HOUSTON, TEXAS
FEBRUARY 22, 1960
DWG. NO. C-4-189

1. **PIPELINE OWNER:** Mitco Pipeline Company, Houston, Texas

2. **NAME OF PRODUCT:** Crude Oil/Gas

3. **BURIEL:** Minimum Pipeline Buriel 3 feet.

4. **FOREIGN PIPELINES:** Minimum Clearance from all Foreign Lines 18"

5. **ANODES:** Cathodic Protection is 32 Lbs. Sacrificial Anodes every 500 feet.

6. **FIELD JOINTS:** Field Joints will be Ray Chem Shrink Joints.

7. **GOVERNING CODE:** All Pipelines Upstream Comply with or Exceed:
   CFR Title 43 Chapter 2 OCS Order No. 9
   CFR Title 49 Part 195 ANSI B 31-4

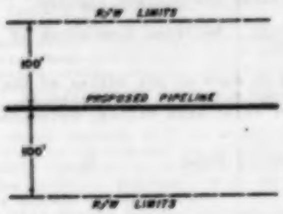
8. **PIPE SPECIFICATIONS:**

O.D.	W.T.	Grade	Length
6.625"	.432"	"B" Seamless	240.00 Ft.
6.625"	.280"	"B" Seamless	65,067.21 Ft.

9. **COATING:** 12 Mill Nominal Fusion Bonded Epoxy Type Coating.
   No Concrete Coating or Weights.

10. **OPERATING PRESSURES:** Line Pipe - Maximum Operating Pressure 2130 PSIG
    Riser Pipe- Maximum Operating Pressure 2738 PSIG
    Fittings - Maximum Operating Pressure 1440 PSIG
    Maximum Working Pressure is 1440 PSIG based on an ANSI 600 pound fitting.

11. **RIGHT-OF-WAY LIMITS:** 100 feet on eith/side of Line.



NOTE: THE RIGHT-OF-WAY OF THIS PIPELINE IS ACCURATELY REPRESENTED AND THE DESIGN CHARACTERISTICS OF THIS PIPELINE ARE IN COMPLIANCE WITH D.O.T. REGULATIONS.

PROPOSED 6" PIPE LINE
BLOCK 189L TO BLOCK 214L
GALVESTON AREA
GULF OF MEXICO

APPLICATION BY
MITCO PIPELINE COMPANY
HOUSTON, TEXAS
FEBRUARY 22, 1980

Design Data Sheet

EXHIBIT "E"

DEPARTMENT OF THE ARMY
GALVESTON DISTRICT, CORPS OF ENGINEERS
P.O. BOX 1229
GALVESTON, TEXAS 77553

REPLY TO
ATTENTION OF:

PUBLIC NOTICE

SWGCO-RP, PERMIT APPLICATION-14228 12 February 1980

To Whom It May Concern:
This district has received an application for a Department of the Army permit as described below:

APPLICANT: Seagull Pipeline Corporation, 1300 Main Street, Houston, Texas 77002.

WATERWAY AND LOCATION: Gulf of Mexico, Galveston Area and Galveston Anchorage Area, in State Tracts 182-S, 181-S, 100-L, 99-L and 104-L, central to a point approximately 14 miles southeast from Galveston, Texas.

WORK: The applicant proposes to place a 6-inch pipeline as shown on the attached plans. The pipeline will be buried a minimum of 3 feet beneath the Gulf bottom and 16.5 feet in the anchorage area. The pipeline will extend approximately 8 miles and will connect a Houston Oil and Minerals platform in State Tract 182-S to a Rutherford Oil Company platform in State Tract 104-L. The pipeline will transport hydrocarbon liquids.

AUTHORIZATION FROM OTHER AGENCIES: Railroad Commission of Texas certification is required.

Plans of the proposed work may be seen at the office of the District Engineer in the Essayons Building, 400 Barracuda, Galveston, Texas or at the Fort Point Area Office, Galveston, Texas.

(See Reverse Side)

A preliminary review of this application indicates that an Environmental Impact Statement is not required. Since permit assessment is a continuing process, this preliminary determination of EIS requirement will be changed if data or information brought forth in the coordination process is of a significant nature.

This application will be processed pursuant to Section 10 of the River and Harbor Act of 1899.

The District Engineer has consulted the latest published version of the National Register of Historic Places and has determined that registered properties are either absent or not affected by the proposed work. The nature, scope and magnitude of the proposed work is such that no further review is warranted at this time.

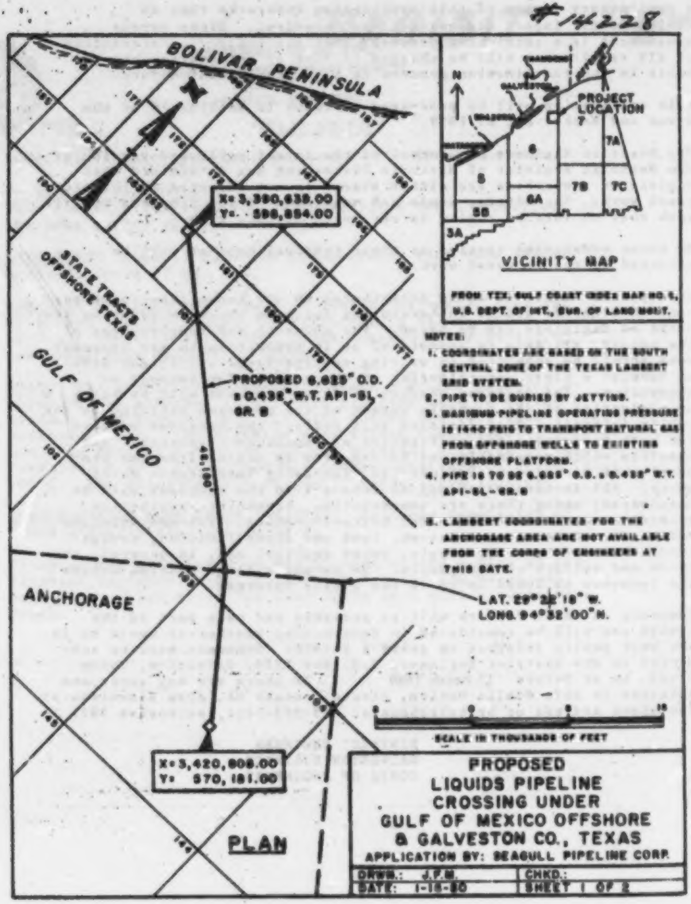
No known endangered species or their critical habitat will be affected by the proposed work.

This public notice is being distributed to all known interested persons in order to assist in developing facts on which decision by the Corps of Engineers can be based. For accuracy and completeness of the record, all data in support of or in opposition to the proposed work should be submitted in writing setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition. The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered; among those are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use classification, navigation, recreation, water supply, water quality, and, in general, the needs and welfare of the people. No permit will be granted unless its issuance is found to be in the public interest.

Comments on these factors will be accepted and made part of the record and will be considered in determining whether it would be in the best public interest to grant a permit. Comments must be submitted to the District Engineer, P.O. Box 1229, Galveston, Texas 77553, on or before 12 March 1980 . If there are any questions relative to this Public Notice, please contact Mr. Alan Sisselman at the above address or by telephone at 713-763-1211, extension 382.

DISTRICT ENGINEER
GALVESTON DISTRICT
CORPS OF ENGINEERS

#14228


BOLIVAR PENINSULA
N
X= 3,390,639.00
Y= 596,854.00
STATE TRACTS OFFSHORE TEXAS
GULF OF MEXICO
PROPOSED 6.625" O.D. x 0.432" W.T. API-5L-GR. B
42,180'
ANCHORAGE
X= 3,420,808.00
Y= 570,181.00
PLAN
PROJECT LOCATION
7
7A
7B
7C
6
6A
5
5B
3A
VICINITY MAP
FROM TEX. GULF COAST INDEX MAP NO. 1, U.S. DEPT. OF INT., BUR. OF LAND MGMT.
LAT. 29°32'18" W.
LONG. 94°32'00" N.
0
5
10
SCALE IN THOUSANDS OF FEET

NOTES:

1. COORDINATES ARE BASED ON THE SOUTH CENTRAL ZONE OF THE TEXAS LAMBERT GRID SYSTEM.
2. PIPE TO BE BURIED BY JETTING.
3. MAXIMUM PIPELINE OPERATING PRESSURE IS 1440 PSIG TO TRANSPORT NATURAL GAS FROM OFFSHORE WELLS TO EXISTING OFFSHORE PLATFORM.
4. PIPE IS TO BE 6.625" O.D. x 0.432" W.T. API-5L-GR. B
5. LAMBERT COORDINATES FOR THE ANCHORAGE AREA ARE NOT AVAILABLE FROM THE CORPS OF ENGINEERS AT THIS DATE.

PROPOSED
LIQUIDS PIPELINE
CROSSING UNDER
GULF OF MEXICO OFFSHORE
& GALVESTON CO., TEXAS
APPLICATION BY: SEAGULL PIPELINE CORP.

DRWN.: J.F.M.	CHKD.:
DATE: 1-16-80	SHEET 1 OF 2

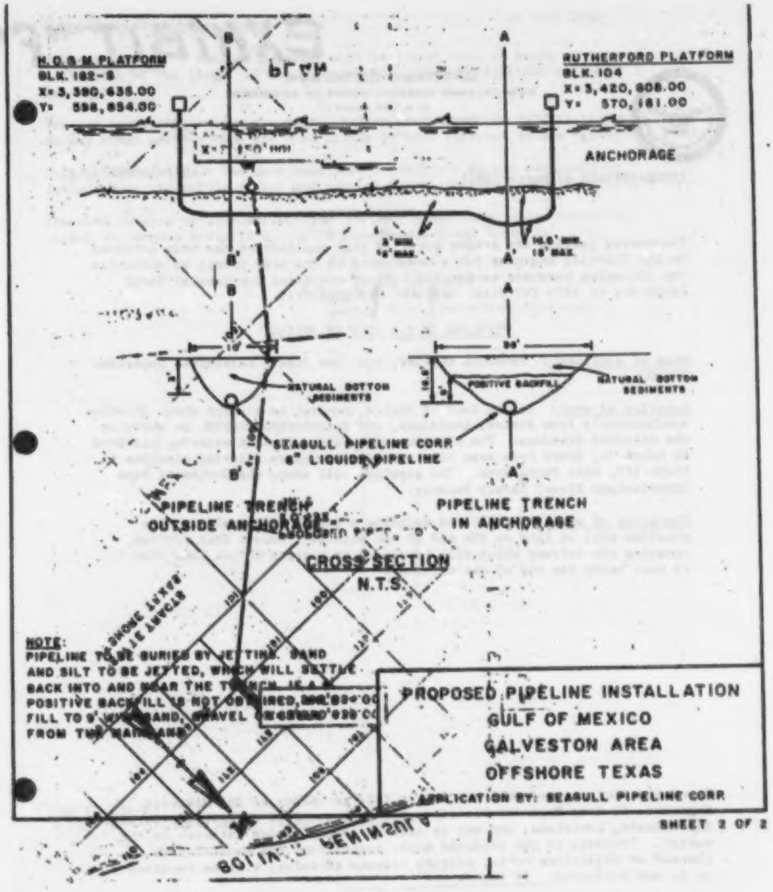

H.O.&M. PLATFORM
BLK. 182-S
X= 3,390,635.00
Y= 598,854.00
RUTHERFORD PLATFORM
BLK. 104
X= 3,420,808.00
Y= 570,161.00
ANCHORAGE
B
B'
A
A'
3' MIN.
12' MAX.
10.5' MIN.
13' MAX.
10'
30'
NATURAL BOTTOM SEDIMENTS
POSITIVE BACKFILL
NATURAL BOTTOM SEDIMENTS
SEAGULL PIPELINE CORP.
6" LIQUIDS PIPELINE
PIPELINE TRENCH
OUTSIDE ANCHORAGE
PIPELINE TRENCH
IN ANCHORAGE
CROSS SECTION
N.T.S.
NOTE:
PIPELINE TO BE BURIED BY JETTING. SAND
AND SILT TO BE JETTED, WHICH WILL SETTLE
BACK INTO AND NEAR THE TRENCH. IF A
POSITIVE BACKFILL IS NOT OBTAINED,
FILL TO 9' WITH SAND, GRAVEL OR
FROM THE MAINLAND.
PROPOSED PIPELINE INSTALLATION
GULF OF MEXICO
GALVESTON AREA
OFFSHORE TEXAS
APPLICATION BY: SEAGULL PIPELINE CORP.
SHEET 2 OF 2

EXHIBIT "F"

DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
P. O. BOX 60267
NEW ORLEANS, LOUISIANA 70160

LMNOD-SP(Gulf of Mexico)2851

18 July 1980

PUBLIC NOTICE

Interested parties are hereby notified that application has been received by the District Engineer for a Department of the Army permit to authorize the following pursuant to Section 4(f) of the Outer Continental Shelf Lands Act of 1953 (67 Stat. 463; 443 USC 1333(f)):

PIPELINE IN THE GULF OF MEXICO

Name of applicant: PENNZOIL COMPANY, P.O. Box 51843, Lafayette, Louisiana 70505.

Location of work: In the Gulf of Mexico, central to a point about 30 miles southeasterly from Venice, Louisiana, off PLAQUEMINES PARISH, as shown on the attached drawings. The pipeline will extend from an existing platform in block 78, South Pass area to a connection with an existing pipeline in block 109, West Delta area. The pipeline will cross the Southwest Pass (Mississippi River) Safety Fairway.

Character of work: Install and maintain a 6-inch oil pipeline. The pipeline will be laid on the bed of the waterway, except that portion crossing the fairway which will be placed at a depth of not less than 10 feet below the bed of the waterway.

Plans for the proposed work are now on file in Office of the District Engineer, US Army Engineer District, New Orleans, Foot of Prytania Street, New Orleans, Louisiana, and may be seen by anyone having interest in the matter. Protests to the proposed work, suggestions for modification thereof or objections to it, stating reasons therefor, will be received up to and including 18 August 1980.

LMN FL 734-1 (33 CFR 320.2)
1 Jan 78 (Edition of 1 Aug 77 obsolete)

LMNOD-SP(Gulf of Mexico)2851 18 July 1980

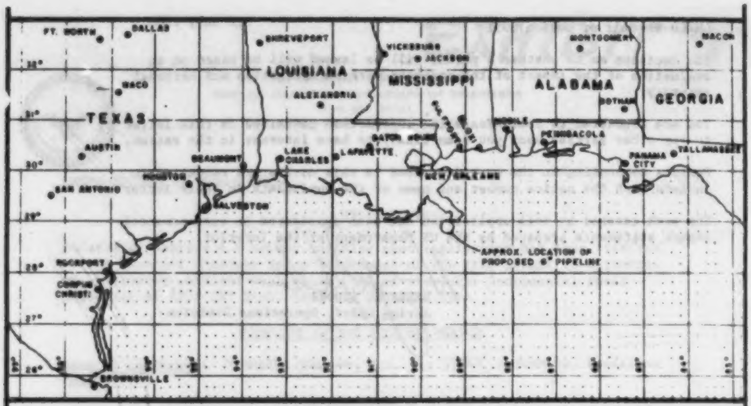
The decision as to whether a permit will be issued will be based on an evaluation of the impact of the proposed work on navigation and national security.

You are requested to communicate the information contained in this letter to any other parties whom you deem likely to have interest in the matter.

Persons commenting on the work described in this notice are requested to include both the notice number and name of the applicants in their letters.

The work covered by this application has been considered in environmental impact statements prepared by the US Department of the Interior.

[illegible]
Acting Chief, Operations Division


FT. WORTH
DALLAS
SHREVEPORT
VICKSBURG
JACKSON
MONTGOMERY
MACON
32°
LOUISIANA
MISSISSIPPI
ALABAMA
GEORGIA
WACO
ALEXANDRIA
DOTHAN
31°
TEXAS
AUSTIN
BATON ROUGE
MOBILE
PENSACOLA
LAFAYETTE
LAKE CHARLES
BEAUMONT
PANAMA CITY
TALLAHASSEE
30°
HOUSTON
NEW ORLEANS
SAN ANTONIO
GALVESTON
29°
APPROX. LOCATION OF PROPOSED 6" PIPELINE
ROCKPORT
28°
CORPUS CHRISTI
27°
26°
BROWNSVILLE

VICINITY MAP

100
0
100
SCALE OF MILES

NOTES:

THIS PIPELINE TO BE USED TO TRANSPORT OIL FROM OFFSHORE LOUISIANA TO EXISTING FACILITIES.

ALL BEARINGS SHOWN ARE LAMBERT.

VICINITY MAP TAKEN FROM HURRICANE PLOTTING MAP.

PROPOSED WIDTH OF RIGHT-OF-WAY 200'.

SPOIL TO BE DEPOSITED SO AS NOT TO REDUCE EXISTING WATER DEPTH MORE THAN 0.5 FEET.

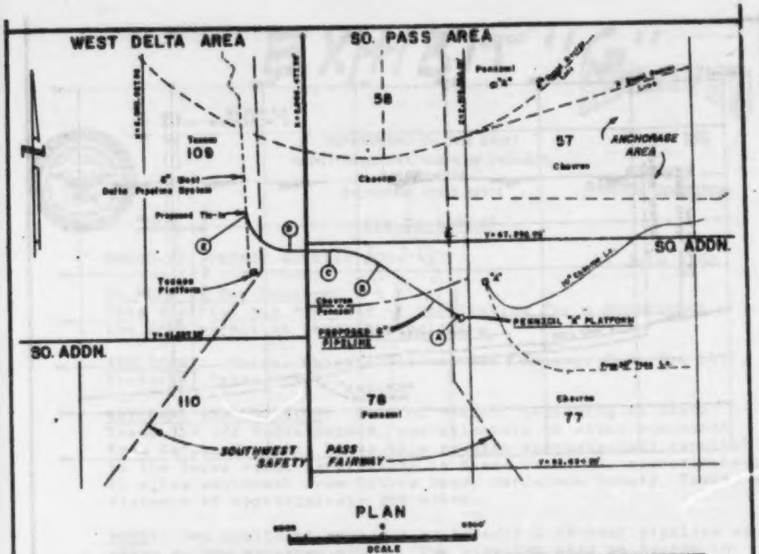
TOTAL LENGTH OF LINE IS 16,528.61 .

FROM U.S.C. & G.S. MONUMENT "SOUTHWEST PASS LIGHTHOUSE" TO	
PT.	BEARING AND DISTANCE
A	S 5° 44' 39" W — 54, 133.46'
E	S 22° 29' 45" W — 50, 740.86'

Application By
PENNZOIL COMPANY
Date: 6-27-80

UA-6635
SHEET 1 of 3

PROPOSED 6" PIPELINE
BLOCK 78 SOUTH PASS AREA &
BLOCK 109 WEST DELTA AREA
OFFSHORE , LA.


WEST DELTA AREA
SO. PASS AREA
58
57
ANCHORAGE AREA
Chevron
Texaco
109
6" West Delta Pipeline System
Proposed Tie-in
Texaco Platform
Chevron Pennzoil
PROPOSED 6" PIPELINE
PENNZOIL "A" PLATFORM
SO. ADDN.
SO. ADDN.
110
78
Pennzoil
77
Chevron
SOUTHWEST PASS SAFETY FAIRWAY
A
B
C
D
E
SCALE

PLAN

PT	BEARING & DISTANCE	LAMBERT COORDINATE		GEOLOGICAL POSITION	
A		[illegible]	[illegible]	[illegible]	[illegible]
	[illegible]				
B		[illegible]	[illegible]	[illegible]	[illegible]
CURVE C		[illegible]	[illegible]	[illegible]	[illegible]
	[illegible]				
D		[illegible]	[illegible]	[illegible]	[illegible]
CURVE E		[illegible]	[illegible]	[illegible]	[illegible]

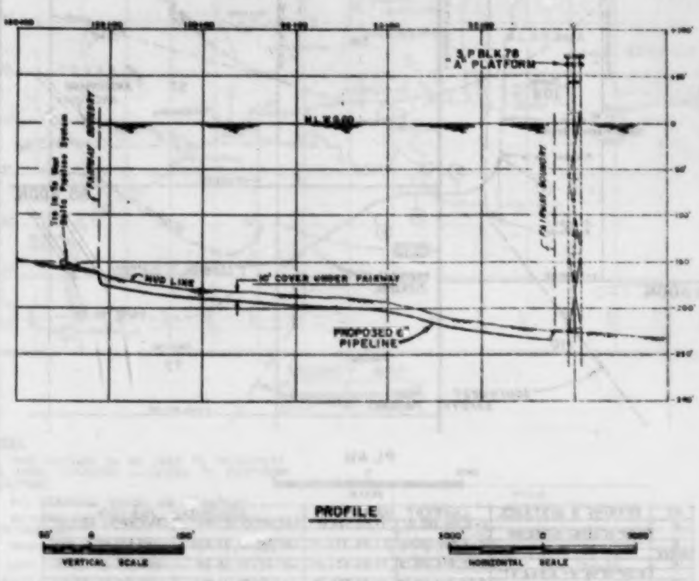
CURVE DATA			
	RADIUS	Δ ANGLE	ARC LENGTH
CURVE B-C	[illegible]	[illegible]	[illegible]
CURVE D-E	[illegible]	[illegible]	[illegible]

NOTE: THIS PIPELINE TO BE USED TO TRANSPORT OIL FROM OFFSHORE LOUISIANA TO EXISTING SYSTEMS.
ALL BEARINGS SHOWN ARE LAMBERT
PROPOSED WIDTH OF RIGHT-OF-WAY 200'
THE DESIGN OF THIS PIPELINE RIGHT-OF-WAY COMPLIES WITH D.O.T. REGULATIONS.
TOTAL LENGTH OF PIPELINE IS 16,528.81'

Application By
PENNZOIL COMPANY
Date: 6-27-80

UA-6635
SHEET 2 of 3

PROPOSED 6" PIPELINE
BLOCK 78 SOUTH PASS AREA &
BLOCK 109 WEST DELTA AREA
OFFSHORE, LA.


S.P. BLK 78
"A" PLATFORM
M.L.W. 0.00
FAIRWAY BOUNDARY
FAIRWAY BOUNDARY
MUD LINE
10' COVER UNDER FAIRWAY
PROPOSED 6"
PIPELINE
0
-50'
-100'
-150'
-200'
-250'
-300'
50'
0
100'
VERTICAL SCALE
5000'
0
5000'
HORIZONTAL SCALE

PROFILE

NOTE: AREA OF HIGH SEDIMENTATION
LINE TO BE LAID ON SEA FLOOR OUTSIDE
OF FAIRWAY AND IS TO BE COVERED BY
NATURAL PROCESSES.
LINE WITHIN FAIRWAY TO BE TRENCHED
TO TARGET DEPTH OF 10'.

Application By
PENNZOIL COMPANY
Date: 6-27-80

UA-6635
SHEET 3 of 3

PROPOSED 6" PIPELINE
BLOCK 78 SOUTH PASS AREA &
BLOCK 109 WEST DELTA AREA
OFFSHORE, LA.

EXHIBIT "G"

RECEIVED
JUL 17 1980
WEST GULF
MARITIME ASSOCIATION

DEPARTMENT OF THE ARMY
GALVESTON DISTRICT, CORPS OF ENGINEERS
P.O. BOX 1229
GALVESTON, TEXAS 77553

REPLY TO
ATTENTION OF:

PUBLIC NOTICE

SWGCO-RP, PERMIT APPLICATION-14577 11 July 1980

To Whom It May Concern:
This district has received an application for a Department of the Army permit as described below:

APPLICANT: Corpus Christi Oil and Gas Company, P.O. Box 2470, Victoria, Texas 77901.

WATERWAY AND LOCATION: Gulf of Mexico, beginning at State Tract 974 off Padre Island, approximately 32 miles southeast from Corpus Christi, Texas then running approximately parallel to the Texas coast terminating in State Tract 32, approximately 23 miles southwest from Sabine Pass, Jefferson County, Texas, a distance of approximately 250 miles.

WORK: The applicant proposes to install a 24-inch pipeline as shown on the attached plans. The pipeline will be buried to 3 feet below Gulf bottom except at the following locations:

Aransas Pass Outer Bar Channel - 10 feet below fairway, 25 feet below channel

Matagorda Outer Bar Channel - 10 feet below fairway

Freeport Outer Bar Channel - 10 feet below fairway

(See Reverse Side)

Galveston Outer Bar Channel - 10 feet below fairway, 25 feet below channel

The total cubic yardage of material to be dredged will be 1,358,684 cubic yards. The material will be used as backfill over the pipeline.

AUTHORIZATION FROM OTHER AGENCIES: Texas Railroad Commission certification required.

Plans of the proposed work may be seen at the office of the District Engineer in the Essayons Building, 400 Barracuda, Galveston, Texas or at the Fort Point Area Office, Galveston, Texas.

Environmental impact has been considered in Environmental Impact Statement, Crude Oil and Natural Gas Production in Navigable Waters along the Texas Coast.

This application will be processed pursuant to Section 10 of the River and Harbor Act of 1899.

Evaluation of the probable impacts involving deposits or discharge of dredged material into navigable waterways will include the application of guidelines established by the Administrator of the Environmental Protection Agency.

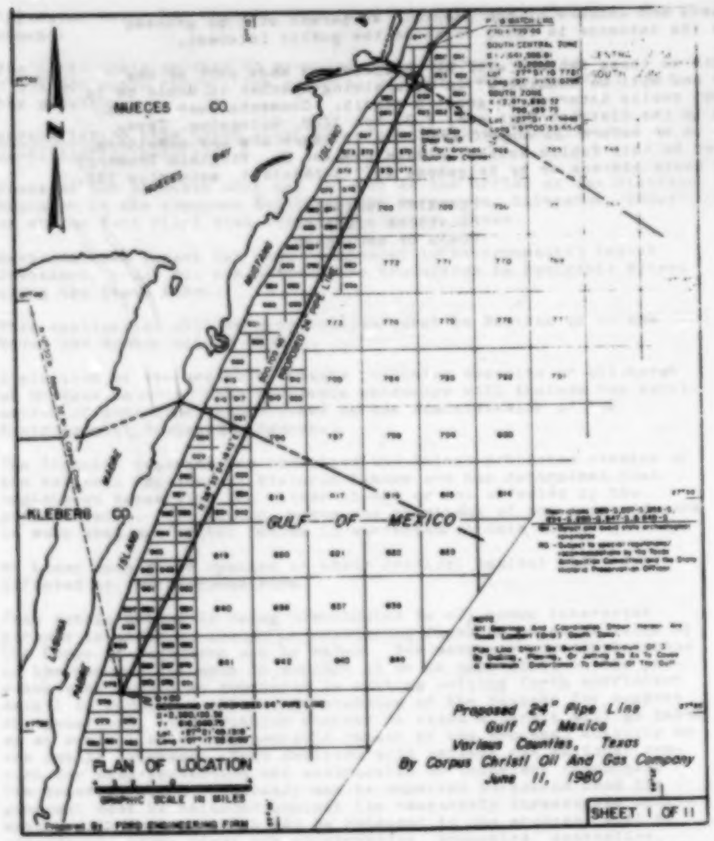
The District Engineer has consulted the latest published version of the National Register of Historic Places and has determined that registered properties are either absent or not affected by the proposed work. The nature, scope and magnitude of the proposed work is such that no further review is warranted at this time.

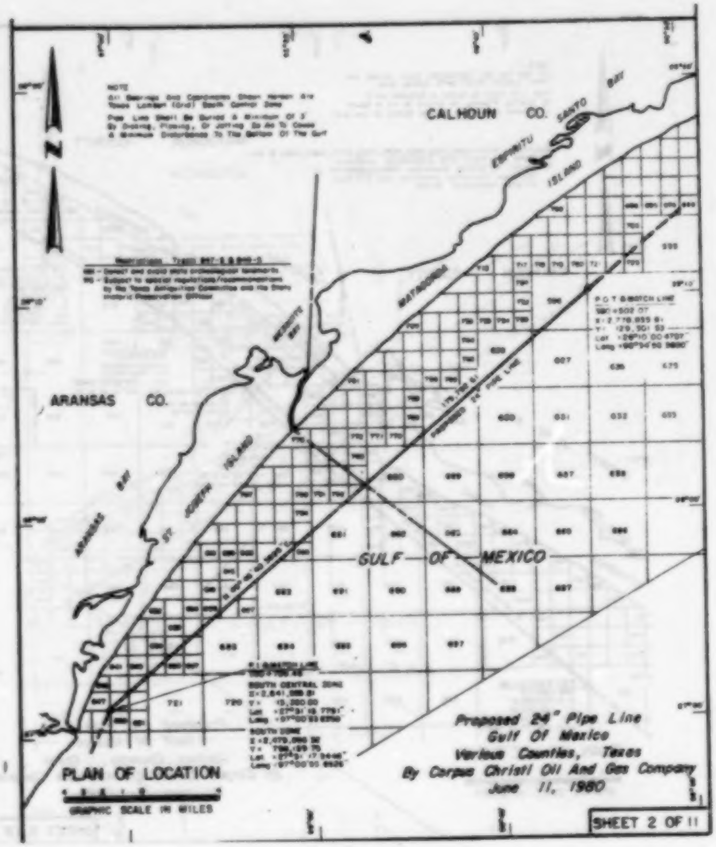
No known endangered species or their critical habitat will be affected by the proposed work.

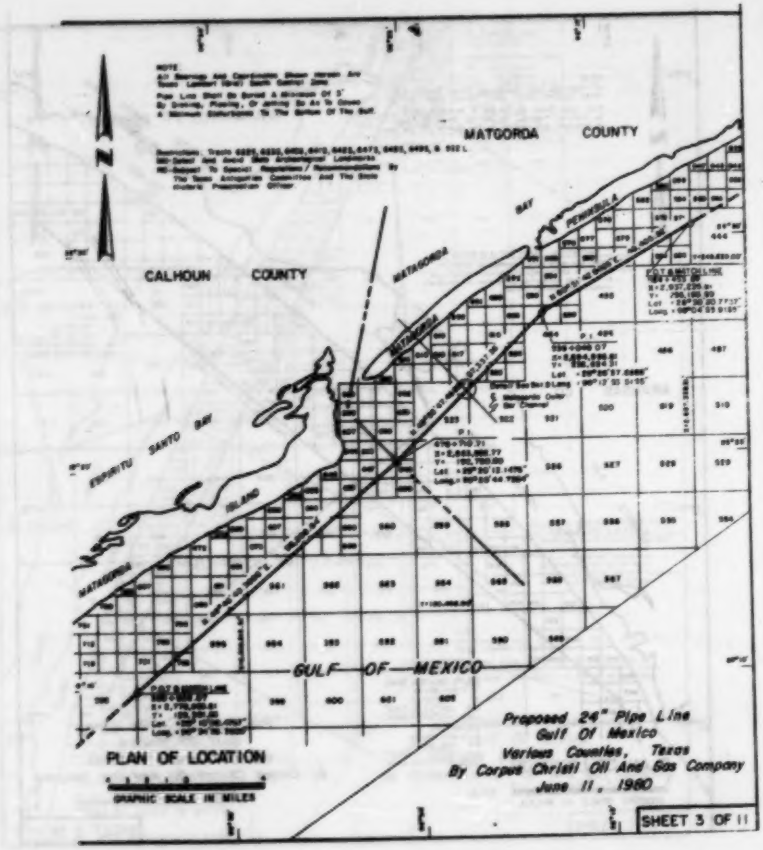
This public notice is being distributed to all known interested persons in order to assist in developing facts on which decision by the Corps of Engineers can be based. For accuracy and completeness of the record, all data in support of or in opposition to the proposed work should be submitted in writing setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition. The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered; among those are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use classification, navigation, recreation, water supply, water quality, and, in general, the needs and welfare of the people. No permit will be granted unless its issuance is found to be in the public interest.

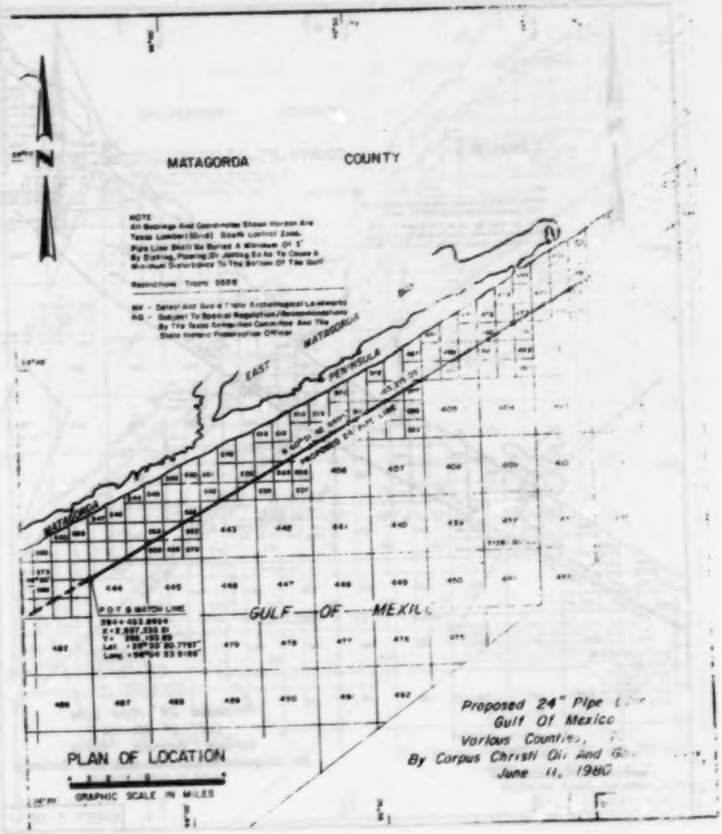
Comments on these factors will be accepted and made part of the record and will be considered in determining whether it would be in the best public interest to grant a permit. Comments must be submitted to the District Engineer, P.O. Box 1229, Galveston, Texas 77553, on or before 11 August 1980 . If there are any questions relative to this Public Notice, please contact Ms. Virginia Treworgy at the above address or by telephone at 713-763-1211, extension 382.

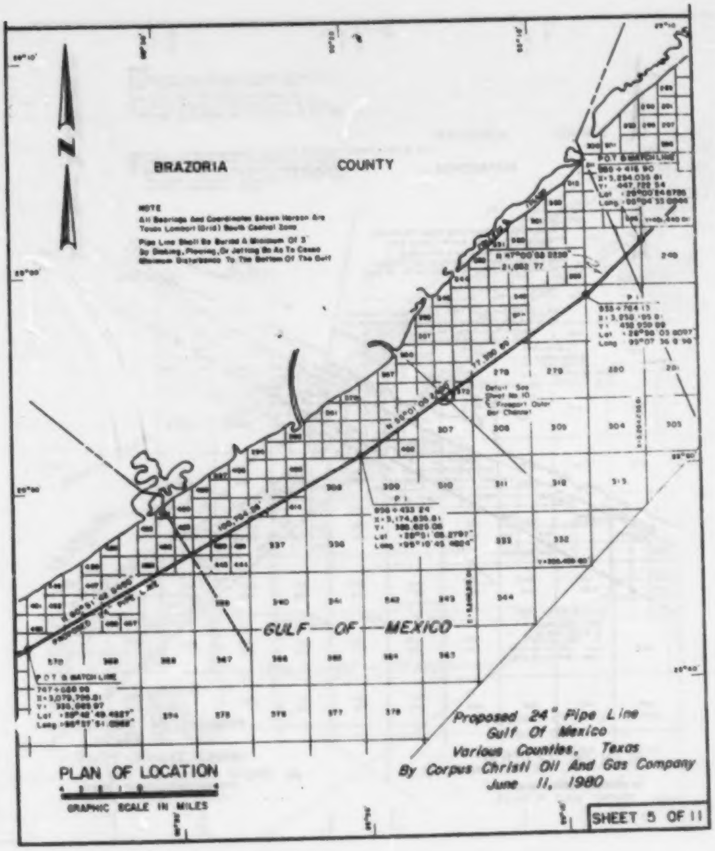
DISTRICT ENGINEER
GALVESTON DISTRICT
CORPS OF ENGINEERS

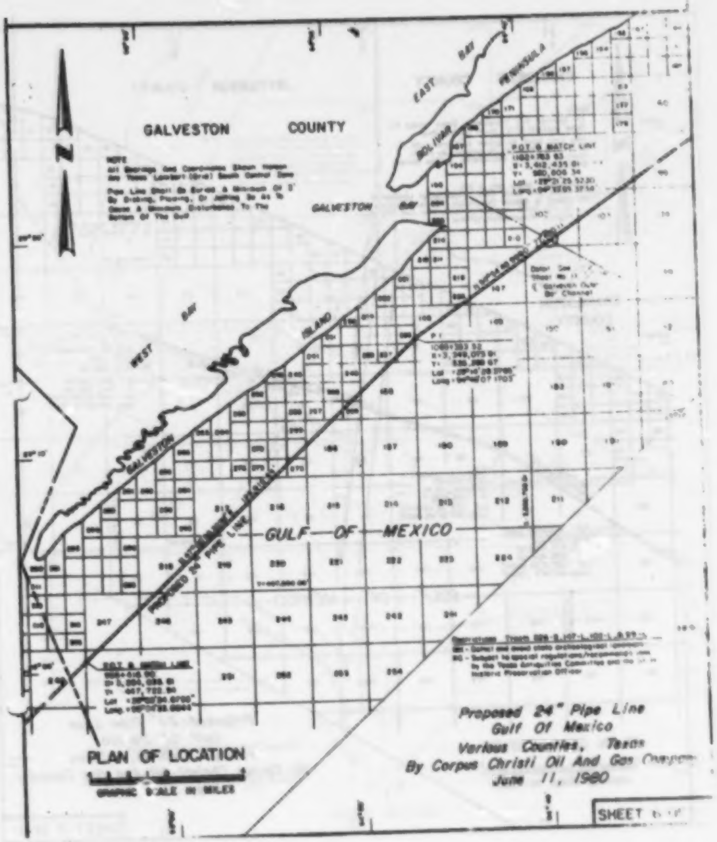

N
NUECES CO.
KLEBERG CO.
GULF — OF — MEXICO
PADRE
ISLAND
MUSTANG
ISLAND
LAGUNA
PLAN OF LOCATION
GRAPHIC SCALE IN MILES
Prepared By FORD ENGINEERING FIRM
NOTE
All Bearings And Coordinates Shown Hereon Are Texas Lambert Grid South Zone.
Pipe Line Shall Be Buried A Minimum Of 3 By Jetting, Plowing, Or Jetting So As To Cover A Minimum Overburden To Bottom Of The Gulf
Proposed 24" Pipe Line
Gulf Of Mexico
Various Counties, Texas
By Corpus Christi Oil And Gas Company
June 11, 1980
SHEET 1 OF 11

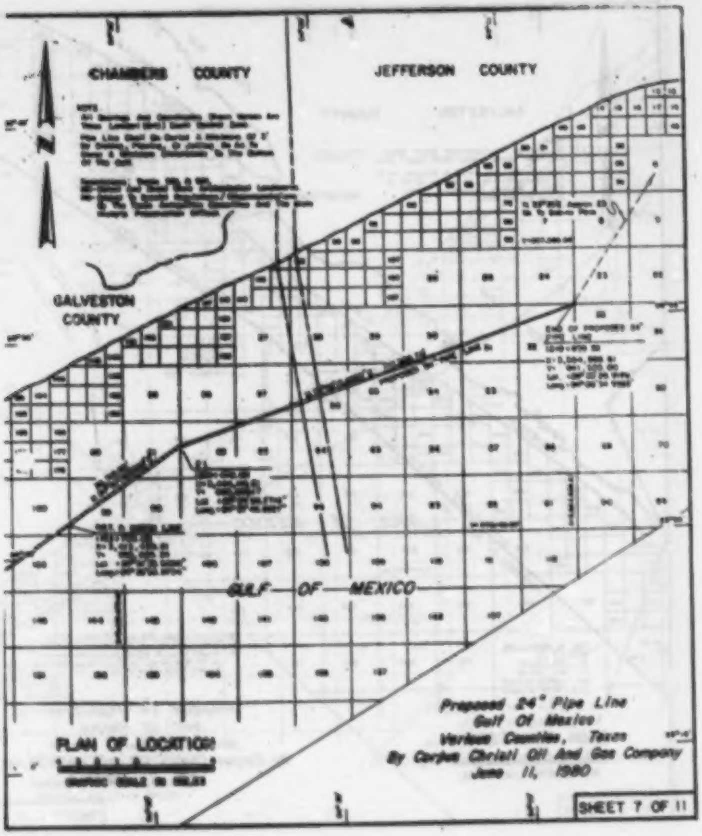

N
CALHOUN CO.
ESPIRITU SANTO BAY
MATAGORDA ISLAND
ARANSAS CO.
ARANSAS BAY
ST. JOSEPH ISLAND
PROPOSED 24" PIPE LINE
GULF OF MEXICO
PLAN OF LOCATION
GRAPHIC SCALE IN MILES
Proposed 24" Pipe Line
Gulf Of Mexico
Various Counties, Texas
By Corpus Christi Oil And Gas Company
June 11, 1980
SHEET 2 OF 11


N
MATGORDA COUNTY
CALHOUN COUNTY
MATAGORDA
BAY
PENINSULA
ESPIRITU SANTO BAY
MATAGORDA
ISLAND
GULF OF MEXICO
PLAN OF LOCATION
GRAPHIC SCALE IN MILES
Proposed 24" Pipe Line
Gulf Of Mexico
Various Counties, Texas
By Corpus Christi Oil And Gas Company
June 11, 1980
SHEET 3 OF 11

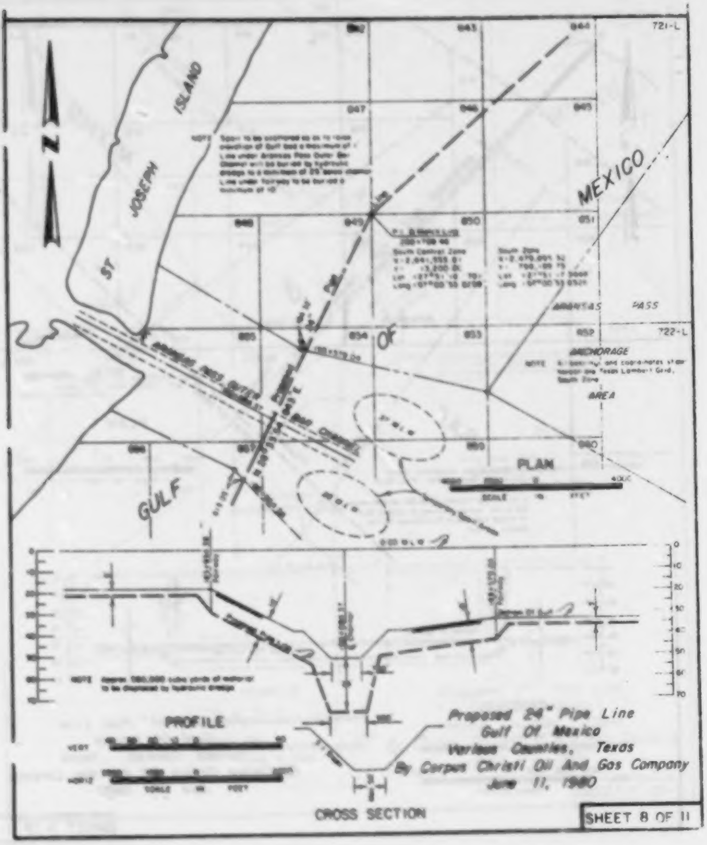

N
MATAGORDA COUNTY
NOTE
All Bearings And Coordinates Shown Hereon Are Texas Lambert (Grid) South Central Zone.
Pipe Line Shall Be Buried A Minimum Of 3' By Digging, Plowing Or Jetting So As To Cause A Minimum Disturbance To The Bottom Of The Gulf
Restrictions: Tracts
EAST MATAGORDA BAY
MATAGORDA PENINSULA
PROPOSED 24" PIPE LINE
GULF OF MEXICO
P.O.T. & MATCH LINE
PLAN OF LOCATION
GRAPHIC SCALE IN MILES
Proposed 24" Pipe
Gulf Of Mexico
Various Counties,
By Corpus Christi Oil And
June 11, 1980


N
BRAZORIA COUNTY
NOTE
All Bearings And Coordinates Shown Hereon Are Texas Lambert (Grid) South Central Zone
Pipe Line Shall Be Buried A Minimum Of 3' By Ditching, Plowing, Or Jetting So As To Cause Minimum Disturbance To The Bottom Of The Gulf
GULF OF MEXICO
P O T & MATCH LINE
PROPOSED 24" PIPE LINE
P I
Detail See Sheet No 10 Freeport Outer Bar Channel
PLAN OF LOCATION
GRAPHIC SCALE IN MILES
Proposed 24" Pipe Line
Gulf Of Mexico
Various Counties, Texas
By Corpus Christi Oil And Gas Company
June 11, 1980
SHEET 5 OF 11


N
GALVESTON COUNTY
EAST BAY
BOLIVAR PENINSULA
GALVESTON BAY
WEST BAY
GALVESTON ISLAND
GULF OF MEXICO
PROPOSED 24" PIPE LINE
P.O.T. & MATCH LINE
P.I.
PLAN OF LOCATION
GRAPHIC SCALE IN MILES
Proposed 24" Pipe Line
Gulf Of Mexico
Various Counties, Texas
By Corpus Christi Oil And Gas Compan
June 11, 1980
SHEET

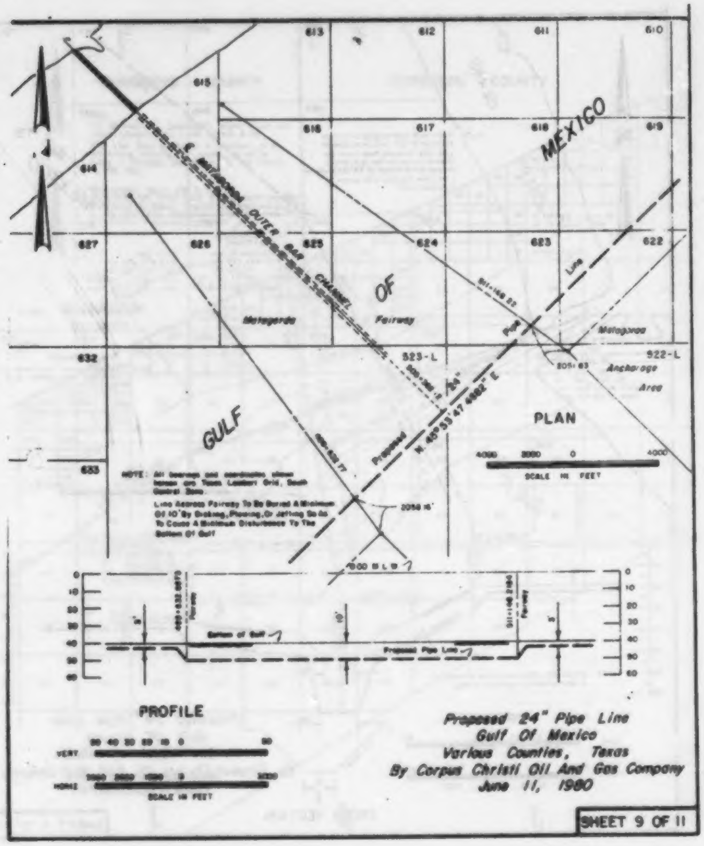

CHAMBERS COUNTY
JEFFERSON COUNTY
N
GALVESTON COUNTY
GULF — OF — MEXICO
PLAN OF LOCATION
GRAPHIC SCALE IN MILES
SHEET 7 OF 11

Proposed 24" Pipe Line
Gulf Of Mexico
Various Counties, Texas
By Corpus Christi Oil And Gas Company
June 11, 1980


N
ST JOSEPH ISLAND
GULF OF MEXICO
ARANSAS PASS
ANCHORAGE AREA
721-L
722-L
842
843
844
847
848
845
849
850
851
855
854
853
852
856
857
859
860
PLAN
SCALE IN FEET
PROFILE
VERT
HORIZ
SCALE IN FEET
CROSS SECTION
0
10
20
30
40
50
60
70

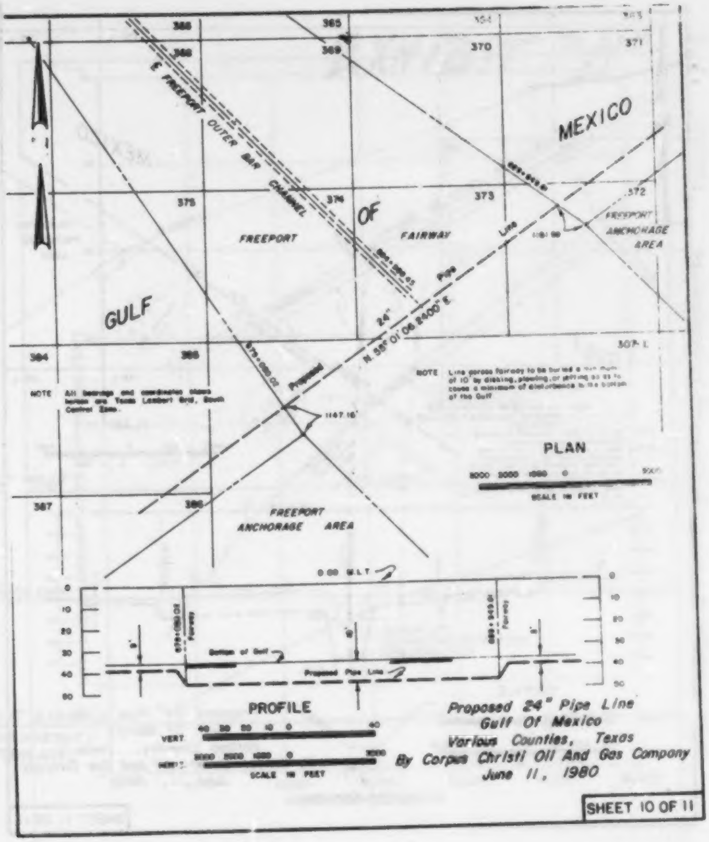
Proposed 24" Pipe Line
Gulf Of Mexico
Various Counties, Texas
By Corpus Christi Oil And Gas Company
June 11, 1980

SHEET 8 OF 11


613
612
611
610
615
616
617
618
619
614
627
626
625
624
623
622
632
633
523-L
922-L
GULF
OF
MEXICO
OUTER BAR CHANNEL
Matagorda
Fairway
Matagorda
Anchorage
Area
Proposed 24" Line
N. 45°53'47.4682" E
2051.63
2058.16'
PLAN
4000 2000 0 4000
SCALE IN FEET
NOTE: All bearings and coordinates shown hereon are Texas Lambert Grid, South Central Zone.
Line Across Fairway To Be Buried A Minimum Of 10' By Dredging, Plowing, Or Jetting So As To Cause A Minimum Disturbance To The Bottom Of Gulf
Bottom of Gulf
Proposed Pipe Line
Fairway
Fairway
10'
5'
0
10
20
30
40
50
60
PROFILE
VERT
HORIZ
SCALE IN FEET

Proposed 24" Pipe Line
Gulf Of Mexico
Various Counties, Texas
By Corpus Christi Oil And Gas Company
June 11, 1980

SHEET 9 OF 11



365
365
364
368
369
370
371
E FREEPORT OUTER BAR CHANNEL
MEXICO
375
374
373
372
OF
FREEPORT
FAIRWAY
FREEPORT ANCHORAGE AREA
GULF
Proposed 24" Pipe Line
N. 55° 01' 06.2400" E
1161.96
1147.16'
384
385
387
386
FREEPORT ANCHORAGE AREA
PLAN
3000 2000 1000 0 5000
SCALE IN FEET
0.00 M.L.T.
0
10
20
30
40
50
Fairway
Bottom of Gulf
Proposed Pipe Line
8'
10'
8'
PROFILE
VERT.
40 30 20 10 0 40
HORIZ.
3000 2000 1000 0 3000
SCALE IN FEET

NOTE All bearings and coordinates shown hereon are Texas Lambert Grid, South Central Zone.

NOTE Line across fairway to be buried a minimum of 10' by dredging, plowing, or jetting so as to cause a minimum of disturbance to the bottom of the Gulf

Proposed 24" Pipe Line
Gulf Of Mexico
Various Counties, Texas
By Corpus Christi Oil And Gas Company
June 11, 1980

SHEET 10 OF 11

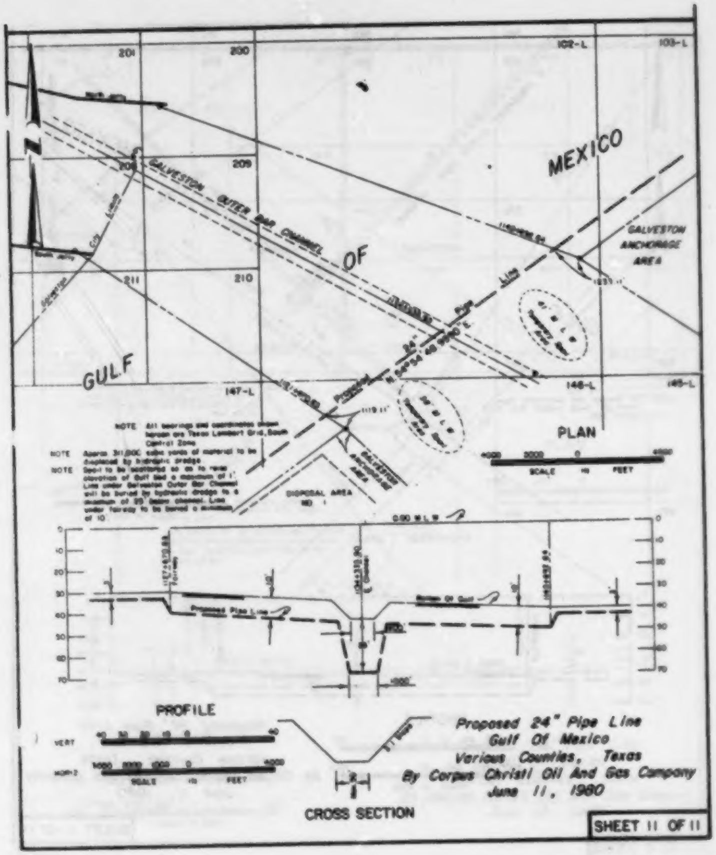
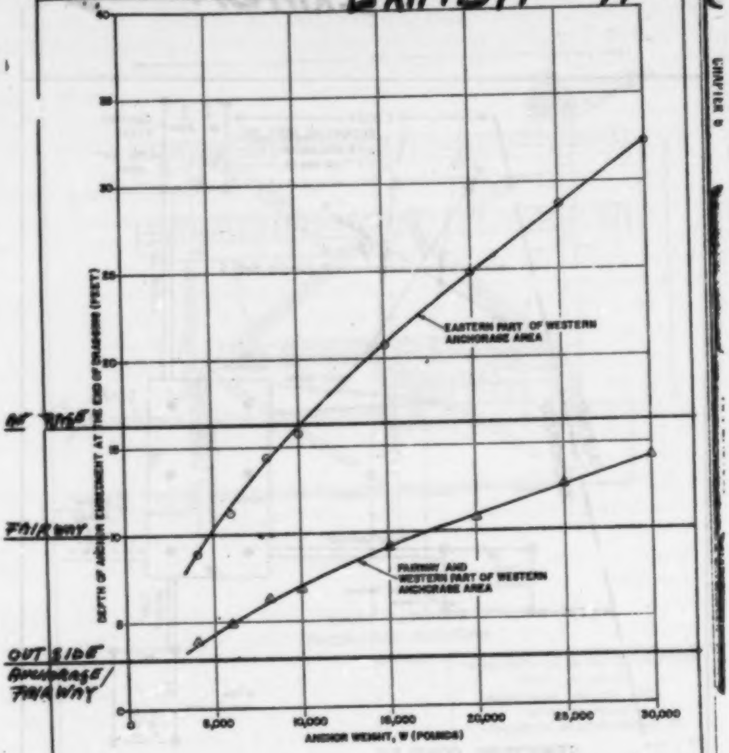

201
200
102-L
103-L
209
MEXICO
GALVESTON OUTER BAR CHANNEL
OF
GALVESTON ANCHORAGE AREA
Proposed 24" Pipe Line
211
210
GULF
147-L
146-L
145-L
1119.11'
NOTE All bearings and coordinates shown hereon are Texas Lambert Grid, South Central Zone
NOTE Approx 311,000 cubic yards of material to be displaced by hydraulic dredge
NOTE Spoil to be scattered so as to raise elevation of Gulf bed a maximum of 1'. Line under Galveston Outer Bar Channel will be buried by hydraulic dredge to a maximum of 20 below channel. Line under fairway to be buried a minimum of 10'
GALVESTON ANCHORAGE AREA
DISPOSAL AREA NO. 1
PLAN
4000 2000 0 4000
SCALE IN FEET
0.00 M.L.W.
Bottom Of Gulf
Proposed Pipe Line
0
10
20
30
40
50
60
70
PROFILE
VERT 40 30 20 10 0 40
HORIZ 4000 3000 2000 1000 0 4000
SCALE IN FEET
CROSS SECTION
Proposed 24" Pipe Line
Gulf Of Mexico
Various Counties, Texas
By Corpus Christi Oil And Gas Company
June 11, 1980
SHEET 11 OF 11

EXHIBIT "H"



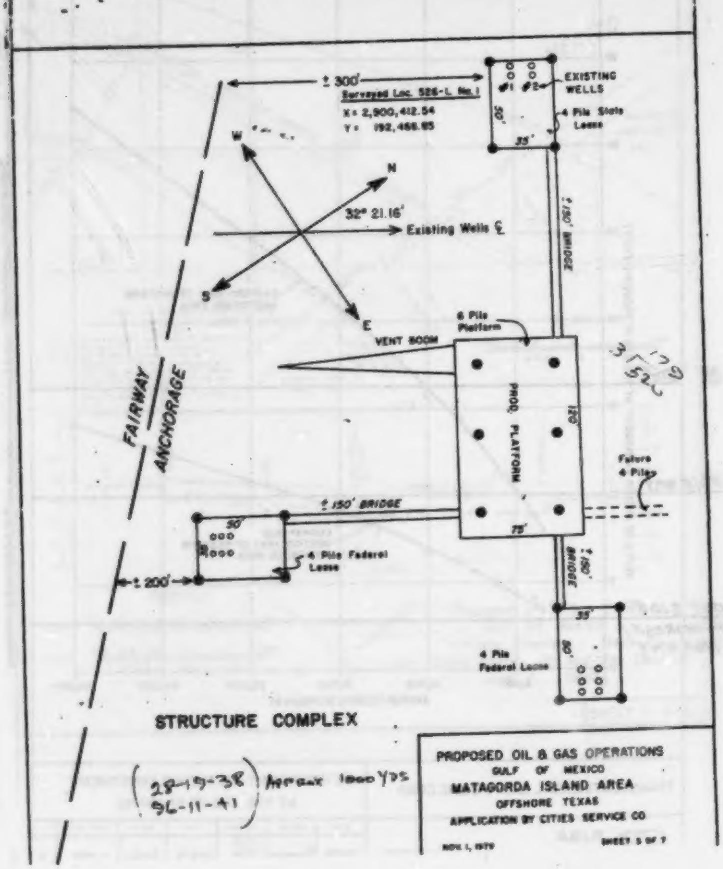
TRANSCONTINENTAL GAS PIPELINE CORP.

ANCHOR WEIGHT VS. ANCHOR EMBEDMENT
AT THE END OF DRAGGING

RJBA

SCALE	DRAWN	CHECKED	D M Y	JOB NO	DRAWING NO	
SHOWN			25-6-76	2042.1	1-405	0

EXHIBIT "I"

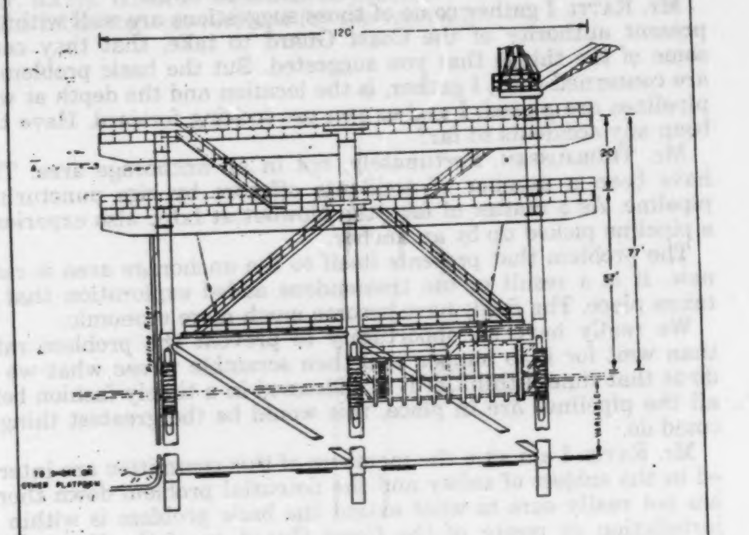

± 300'
Surveyed Loc. 526-L No. 1
X = 2,900,412.54
Y = 192,466.95
#1
#2
EXISTING WELLS
50'
35'
4 Pile State Lease
W
N
S
E
32° 21.16'
Existing Wells ℄
± 150' BRIDGE
6 Pile Platform
VENT BOOM
PROD. PLATFORM
120'
75'
Future 4 Piles
FAIRWAY
ANCHORAGE
± 150' BRIDGE
50'
4 Pile Federal Lease
± 200'
± 150' BRIDGE
35'
50'
4 Pile Federal Lease
3/'79
52c

STRUCTURE COMPLEX

(28-19-38
96-11-41) Approx 1000 YDS

PROPOSED OIL & GAS OPERATIONS
GULF OF MEXICO
MATAGORDA ISLAND AREA
OFFSHORE TEXAS
APPLICATION BY CITIES SERVICE CO

NOV. 1, 1979
SHEET 5 OF 7


120'
20'
77'
57'
PIPELINE RISER
VARIABLE
TO SHORE OR OTHER PLATFORM

FRONT ELEVATION
PRODUCTION PLATFORM
6-PILE

PROPOSED OIL & GAS OPERATIONS
GULF OF MEXICO
MATAGORDA ISLAND AREA
OFFSHORE TEXAS
APPLICATION BY CITIES SERVICE CO.
NOV. 1, 1976
SHEET 4 OF 7

Mr. **Ratti**. Captain Baker?

Captain **Baker**. I do not have a statement, thank you. I was here more to give Mr. Thorjussen some backup in case there were some questions that I could better handle than he could.

Mr. **Ratti**. I gather some of those suggestions are well within the present authority of the Coast Guard to take, that they can do some of the things that you suggested. But the basic problem you are concerned with, I gather, is the location and the depth at which pipelines are placed. I gather you are looking forward. Have there been any accidents so far?

Mr. **Thorjussen**. Fortunately, not in an anchorage area. There have been a number of accidents offshore by rigs puncturing a pipeline. As a matter of fact, the blowout at Ixtoc also experienced a pipeline picked up by an anchor.

The problem that presents itself to the anchorage area is rather new. It is a result of the tremendous added exploration that has taken place. The fields have become much more economic.

We really have an opportunity to prevent the problem rather than wait for it to happen and then scramble to see what we can do at that time. I think, if it is addressed in a timely fashion before all the pipelines are in place, this would be the greatest thing we could do.

Mr. **Ratti**. I am sure the members of this committee are interested in the subject of safety and the potential problem down there. I am not really sure to what extent the basic problem is within the jurisdiction or power of the Coast Guard or of the Coast Guard subcommittee.

Have you talked to the Corps of Engineers on this? Is this partly their problem? Have you also communicated with the Committee on Public Works of the Congress?

Mr. **Thorjussen**. We have talked with the Corps of Engineers. We have been told by the corps that they have asked the Coast Guard locally or within the 8th Coast Guard District for guidance. We do not know that they have replied. We feel, frankly, that the corps is between a rock and a hard place. They are under tremendous pressure to grant these permits.

I would suggest, if it is at all possible, that the Coast Guard from the highest level, from headquarters, take a look at the problem from a safety standpoint. I think that, if the Coast Guard came out with some real guidelines, even if it was in the form of suggestion, I believe the Corps of Engineers would welcome it.

Captain **Baker**. In short, we think that the Coast Guard is in a better position to judge the safety aspects of pipelines than is the Corps of Engineers. At the moment, they defer to the Corps of Engineers. We think the Coast Guard should be assigned a responsibility at least to comment to the corps on the safety aspects of any pipeline.

Mr. **Ratti**. We can pass some questions on this subject on to the Coast Guard and see what response we get. They will be made aware of your testimony at the hearings, so maybe they will take some action on it.

Are there any other questions?

Mr. **Bruce.** I would like to introduce into the record correspondence on behalf of Mr. McCloskey. The letter asks Mr. McCloskey to look into this and move to the establishment of a national policy.

Mr. **Ratti.** Without objection, so ordered.

[The following was received for the record:]

CIFIC MERCHANT SHIPPING ASSOCIATION

635 SACRAMENTO STREET, SUITE 300
P.O. BOX 7861
SAN FRANCISCO, CA. 94120
(415) 986-7900

June 25, 1980

PMSA 1.13-80

BOARD OF DIRECTORS

SUBJECT: SEA LANES AND PLACEMENT OF OIL PIPELINES

Gentlemen:

Congressman McCloskey is acting to get DOT to look into the matter of keeping sea lanes clear and oil pipelines placed at safe depths. Copy of his letter of June 11 to Mr. Santman is attached.

The pipeline issue was brought to our attention by the West Gulf Maritime Association, where difficulties have been encountered between ships at anchor and pipelines from producing oil and gas wells.

Very truly yours,

Philip Steinberg

PHILIP STEINBERG
President

PS:rl

Attachment: Congressman McCloskey's letter of June 11 to DOT

C: E.T. Sommer, Jr., CASO
T. Thorjussen, West Gulf Maritime Assn.

U.S. House of Representatives
Committee on
Merchant Marine and Fisheries
Room 1334, Longworth House Office Building
Washington, D.C. 20515

June 11, 1980

PACIFIC MERCHANT SHIPPING ASSOCIATION
RECEIVED
JUN 23 1980
PRES. ....
STAFF ....
FILE ....

Mr. L. D. Santman, Director
Materials Transportation Bureau
Research and Special Projects Administration
Department of Transportation
400 - 7th Street, S.W.
Washington, DC 20591

Dear Mr. Santman:

I presume you or your Office of Pipeline Safety Regulation is aware of the issues involving efforts to keep the sealanes clear of oil rigs in the vessel traffic Separation Schemes affecting the Santa Barbara and Santa Catalina areas of California.

Apparently, the Commander of the Eleventh and Twelfth Coast Guard Districts have this matter under active consideration. A selective extraction from pertinent exchanges from the Pacific Merchant Shipping Association (copy enclosed) suggests a need for a national policy with respect to the laying of pipelines across vessel routes and that a minimum depth of 20 feet be considered for placing of such pipelines until anchorage penetration tests are completed.

I would appreciate your consideration and advice with respect to this proposal.

Sincerely,

Pete McCloskey

Paul N. McCloskey, Jr.

PNMcC/jbt

✓cc: Mr. Philip Steinberg
Pres., PMSA

Mr. RATTI. Thank you very much, Mr. Thorjussen and Captain Baker.

Our next witness is Mr. James Baker.

Again I regret that Congressman Biaggi had to leave. We would appreciate it if you would proceed.

STATEMENT OF JAMES L. BAKER, PRESIDENT, BAKER DEVELOPMENT CORP.

Mr. BAKER. Thank you, Mr. Chairman.

I am president of my own corporation and was Chief of the Communications and Navigation Satellite Division at the Goddard Space Flight Center in Greenbelt, Md., until my retirement 6½ years ago.

I do appreciate the opportunity to present this system and talk about some of the participants and results of the tests with the satellite-aided vessel monitoring and traffic system.

With your permission, I would like to have my whole written statement included in the record. I will just highlight some of the points in the written statement.

Mr. RATTI. Without objection, we will do that.

[The following was received for the record:]

TESTIMONY OF JAMES L. BAKER, PRESIDENT, BAKER DEVELOPMENT CORP.

Mr. Chairman,

I appreciate the opportunity to present this system and talk about some of the participants and results of tests with the "Satellite Aided Vessel Monitoring and Traffic System".

This technique is feasible and very practical within the 200 nautical-mile U.S. Coastal Zone for all cooperating vessels. Vessel location, as determined by LORAN-C, and manifests with pre-arrival data can be automatically transmitted continuously via satellite to the advisory center.

The U.S. Coast Guard requested NASA to study potential methods for identification and location of vessels in order to accommodate its increased responsibility within the 200 n. mile coastal zone. This effort resulted from a $40,000.00 cost-sharing contract with the NASA/Goddard Space Flight Center (GSFC) and the Baker Development Corporation (BDC). The project was completed in October 1979.

The U.S. Coast Guard has successfully conducted LORAN-C retransmission experiments using a VHF radio link. I believe that preparations are complete for installing such a traffic advisory system in Prince William Sound for tank ships leaving and entering the port at Valdez, Alaska. This appears to be an excellent method of traffic management in restricted waters. Offshore, however, the use of VHF is limited by line of sight to the height of ship-and-shore based antennas. The distance for 100% reliability of communications varies between 30 to 50 miles between stations. With the use of a satellite, however, the range of VHF is essentially unlimited. The satellite-aided VTS system, therefore, would extend the radar system or VHF radio system capabilities from the point where it is either too expensive or inaccurate, to the 200-n. mile limit and beyond, if desired.

PARTICIPANTS

For this development and series of demonstrations, the NASA/Goddard Space Flight Center provided the use of the Applications Technology Satellite No. 3 (ATS 3), the computer and video display capability at the Center and a LORAN-C receiver.

Capt. Roger S. Betts, USN of Norfolk, Virginia donated the use of his 45 foot motor sailer, "Sunshine" as the test vessel.

The University of Miami's Rosenstiel School of Marine and Atmospheric Sciences (RSMAS) played a major role in assisting me with the development of the equipment and conduct of the experiments and demonstrations.

The School's very capable research staff and high level graduate students modified the LORAN-C receiver and the communications central processor in order to work with the computers and the satellite. The RSMAS also provided their earth station to communicate with the ATS 3 satellite and their personnel programmed and operated the computer during experiments and demonstrations. We were fortunate in that the University of Miami's RSMAS had already developed their facilities to obtain ocean environment data from most of the oceanographic community's research ships via ATS 3. Much of their prior work was accomplished under a grant from the National Science Foundation.

The U.S. Coast Guard Research & Development Group provided some of the funding for this project and generated the requirement for automatic satellite interrogation of electronic prearrival messages. The Coast Guard also indicated from the chart of the lower Chesapeake Bay which pertinent under water obstructions and topography which should be shown on a controllers' color video monitor.

During the three experimental and one demonstration voyages from Annapolis to the test area, the U.S. Coast Guard provided berthing facilities at Little Creek, Virginia and logistics support (except fuel and oil).

EXPERIMENTS TEST AREA

Collisions and groundings of vessels occur more often in coastal regions where the traffic density is greatest. In these territorial waters, safe passage is further aggravated by navigational hazards such as underwater topography, stronger current, obstructions, and fog. There are several confluence regions on the U.S. East Coast where collisions and groundings have occurred. The lower Chesapeake Bay region, including its entrance was selected as the test area because of the large volume of ship traffic, its typical hazards, and proximity.

A 43.6 by 34.8 statute mile rectangle (38 minute x 38 minute area of latitude/longitude) of the test area was transferred from a nautical chart to a video color display at Goddard. In order to display the essential features of the nautical chart on the color video monitor, it was necessary to determine the latitude and longitude of each buoy and the point of inflection of each straight line from the chart. For example, the shoreline and water-depth contour lines were divided into several small, straightline segments and the latitude and longitude of each of their end points were obtained from the chart. In a similar way, the bridge and tunnel complex, spoil areas, pilot boarding areas, and caution zones were transferred. Once the location and bounds of the desired features of the nautical chart were defined by latitude and longitude, it was a straight-forward process of transferring these data to computer software. Three levels of magnification were provided with the highest level having a resolution of 113 feet per picture element (pixel). At the higher magnification levels, the section of the chart to be magnified and displayed is selected by the operator using a joystick-controlled cursor.

EDC

OPERATIONAL DESCRIPTION

In an operational system, a computer at the Control Center automatically interrogates, sequentially, LORAN-C receivers or other navigation receivers aboard various vessels within the 200-n. mile limit. Upon receipt of the vessel's own ID number, each vessel answers by transmitting its LORAN-C position to the computer-driven video color display at the Control Center. Here operators can view an entire coastline, from inland waters out to several hundred miles and enlarge an area in which there is a pending collision or grounding situation.

The computer also interrogates the messages entered into the memory of a teletype unit such as the ship's manifest, search and rescue data, emergency medical needs and other data on local weather conditions, reporting of fish catches, violations, oil slicks, icebergs, etc. In this experiment, most of the data was navigational information with the test vessel's teletype equipment being interrogated at 5-minute intervals. Information was transmitted at a 110-baud rate, sorted and displayed in real-time at the control center.

The interrogation time interval for both LORAN-C fixes and the teletype memory can be varied manually, or automatically by the computer, depending upon operational needs; however, the minimum practical time interval is about 5 seconds which is needed to update each new position in the LORAN-C receiver.

Extreme geometric grid errors in LORAN-C position, for any given vessel, are detected by the velocity vecotrs which are calculated by the computer between each successive reported fixes and displayed simultaneously on the video screen. In an operational system, each major vessel entering the 200-n. mile limit might be required to activate its satellite terminal and transmit its manifest. That far from shore, the interrogation interval, for example, might be 60 minutes and decreased to as often as 5 seconds in a crucial situation or in restricted waters. The present system as configured can accommodate one ship every 2 seconds.

A vessel heading on a collision course with a hazard, obstruction, or other vessel would be detected by the computer and/or the operator; an alarm signal can be sent to the vessel via the satellite or alternate communication link. While the vessel's position is shown by the arrow-point on the video display, the vessel's name, abbreviation, or ID number shows adjacent to ship position on the video screen display.

SATELLITE

The Applications Technology Satellite Number 3 ATS 3) a spin-stabilised spacecraft with body mounted solar cells, was launched on November 5, 1967. The ATS 3 subsatellite point is located at 105° west longitude at one of the stable points in the geostationary orbit. This is an excellent location because it provides ideal coverage of the United States

HDC

and the 200-n. mile coastal zone plus Alaska. ATS 1, which was launched by Goddard Space Flight Center December 7, 1966, with its operable VHF translator, covers the rest of Alaska waters and the Pacific Islands as shown by the shaded areas. Unofficial estimates suggest that the ATS 1 and 3 VHF translators will be operable for the next 25 years.

DISPLAY AND CONTROL SYSTEM

The heart of the Vessel Traffic and Coastal Zone Monitoring System is the control center with computer and color video display capability. Software for mapping, image display, and control was developed at the Goddard Space Flight Center, Greenbelt, Maryland using the existing Atmospheric and Oceanographic Information Processing System (AOIPS) with the PDP-11/45 computer and the GE Image 100 image analysis display terminal. These facilities served as the operations center for the experiments and demonstrations.

Ship position data was recorded at RSMAS and transmitted by data phone to the Satellite Image-100 Processing Facility video display and computer system located at GSFC. The ship position fixes obtained at the RSMAS were superimposed upon the computer-driven chart on the video color screen at GSFC where the vessel's progress could be observed and traced. The display at GSFC showed the test area with all essential features in color and, for the first time, the record of the vessel track is on disk file for instant replay.

During the first experiment, we were fortunate in having an observer aboard from the Coast Guard Headquarters, Mr. David Firestone, who handled all aspects of the LORAN-C navigation system.

In preparation for the demonstrations of Oct. 11 and Oct. 12, 1979, the Coast Guard prepared simulated prearrival messages for us to transmit electronically via the satellite. These messages are also displayed on the TV screen and printed for the record.

The three black and white prints are photographs of the controller's video display of an enlarged section of the test area which includes the bridge and tunnel complex linking Cape Henry and Cape Charles. Unfortunately, the prints are not as clear and precise as the actual video color display. These photographs were taken while the test vessel was underway. The vessel track, the black line on the right side of the channel, becomes a permanent record which can be replayed in actual speed or collapsed time. The Bay Bridge and Tunnel complex is depicted by the heavy black line broken only by the tunnels which pass beneath Thimble Shoal Channel and the northern channel which is the central portion of the bridge span. One can discern the underwater topography, with the light shaded portion being greater than six fathoms, the medium shade representing depths between five and six fathoms, and the darker portion being less than five fathoms. Channel buoys and obstruction markers are denoted by the white dots, while the trapezoid pilot boarding areas and circular precautionary zone are denoted by white dashes. At the far right is a fiducial cross which can be moved to any area by joystick-cursor control to enlarge a section of interest for closer examination and control.

The first photo is a large scale display of the test vessel which has just passed over the southern side of the North Tunnel. The curve in the vessel track was caused by a course change initiated to avoid collision with the bridge north of the tunnel. The "Sunshine" came alongside the last buoy to the south and made a 90 degree left turn before crossing over the tunnel.

The second photo shows an even larger scale display of the test vessel track. The vessel has crossed over the North Tunnel and turned south to the eastern end of the Thimble Shoal Channel. The arrowhead represents the corrected LORAN-C position of the vessel whose ship identification code was EER.

The third photo shows the vessel having turned westward and entered the Thimble Shoal Channel.

MULTIMISSION CAPABILITY

The system which we propose is very cost effective when compared to any other system which we know of today. It is the only one which we know of that will do the complete task of vessel traffic monitoring reliably from land out to the 200-n. mile limit.

Although relatively inexpensive, this system has already a built-in multimission capability in addition to its major function as an offshore vessel traffic system. The U.S. Coast Guard is already funding the monitoring of fishing vessels, and this system would provide expansion of fishing vessel monitoring, surveillance of ocean dumping, search and rescue, position monitoring and electronic prearrival messages of all major vessels within the 200-n. mile limit.

The NASA ATS 1 and ATS 3 geo-stationary satellite are National assets not well known today by the user community. These satellites should be used to their fullest extent in advanced experimentation and demonstrations to lay the groundwork for an ultimate operational system.

SYSTEM ADVANTAGES

1. Unlimited Range - the existing ATS 3 is located at a subsatellite point of 105° West longitude and covers the East and West coast of the United States, the Gulf of Mexico, Caribbean and Alaska.

2. Many U.S. and foreign vessels already have LORAN-C which provides essential coverage of the 200-n. mile zone and more transmitting stations are planned.

3. Both computer and operator can make independent assessments of critical situations as they develop.

4. The vessel track history is a permanent record and can be brought up for instant replay and analysis.

5. [illegible] the

5. Ship manifests can be obtained automatically upon entering the 200-n. mile limit.

6. Any navigation system which is sufficiently accurate, and having the appropriate electrical interface, can be used such as LORAN-A, TRANSIT, OMEGA, DECCA, GPS, Inertial Guidance.

7. The system is operable in any kind of weather.

8. Shipboard installation is relatively inexpensive, because the technology has been developed.

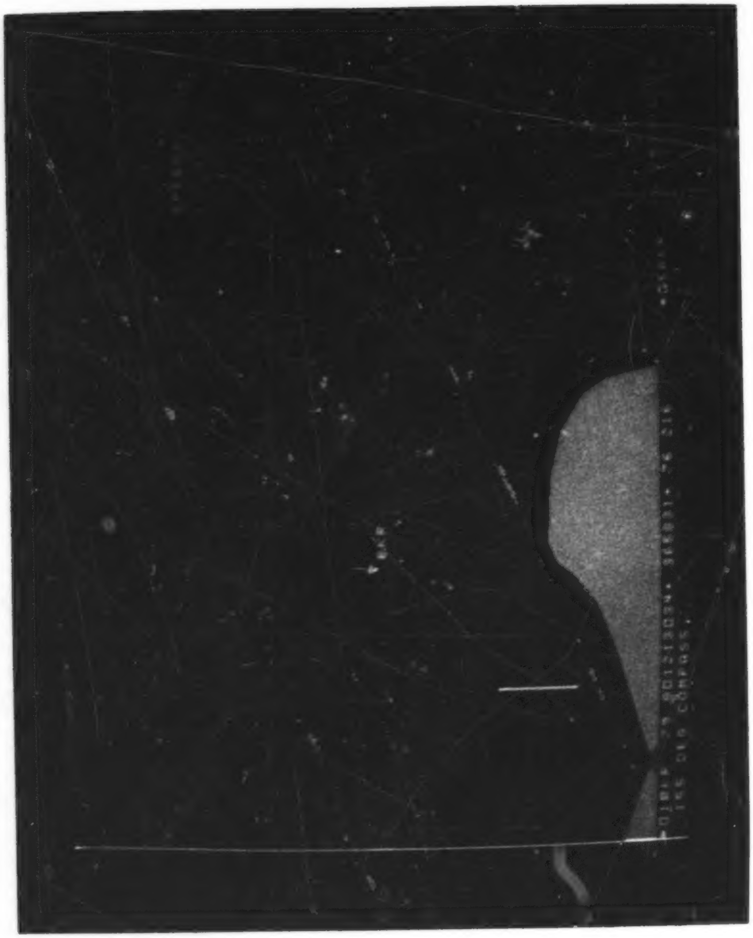
9. Data is formatted in accordance with the American Standard Code for Information Interchange and the electrical interface of equipment is compatible with RS-232 (an EIA Standard). This permits information to be transmitted from ships and control centers easily to any part of the United States and its possessions using existing commercial equipment.

10. Using the synchronous detection scheme with the PCM data, a very high signal-to-noise ratio (S/N) is achieved without the need for precision oscillators and phase locked loops in the transmitter or receiver.

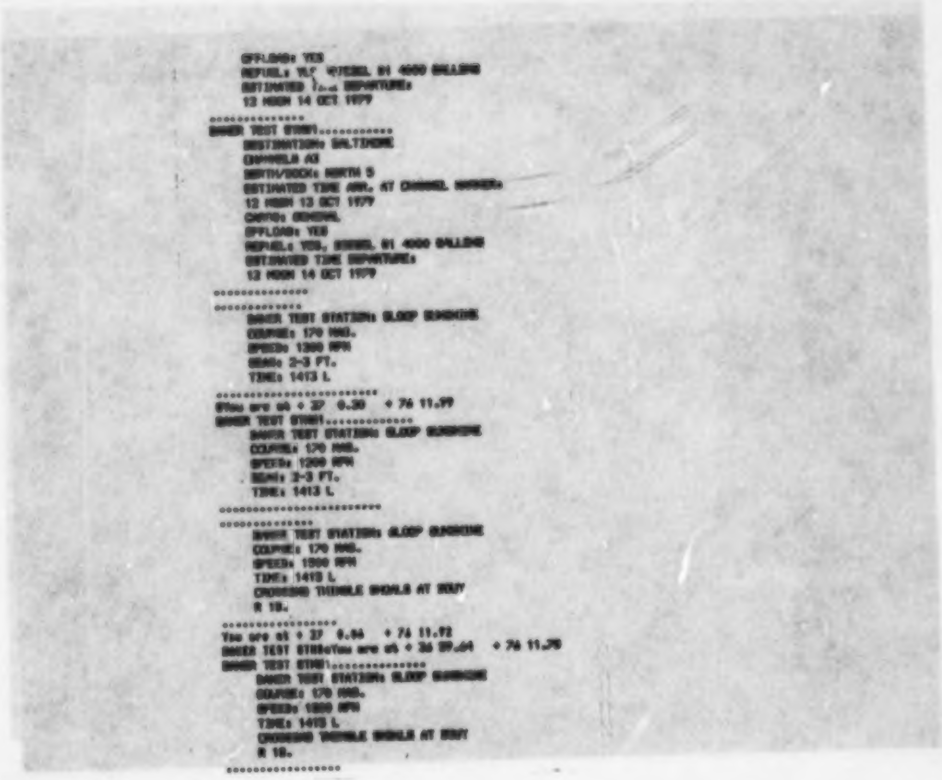
In closing I would like to add that I was invited in June to present the details of this system and results of experiments to the Port of Long Beach Authorities and the U.S. Coast Guard. Later the same week I presented the same information to representatives connected with the Santa Barbara County Board of Supervisors who are very concerned about the potential hazard of oil tank ships plying the Santa Barbara Channel where an inordinately large number of oil drilling and production rigs are anticipated in the near future.

The information and data were well received and we are now studying ways to implement the next phase of experimentation in the West Coast region when, and if, funds become available.

RDC


155 DEG COMPASS.

SPEED
BKR
185.DEG MAG



```
     OFFLOAD: YES
     REFUEL: YES, DIESEL 01 4000 GALLONS
     ESTIMATED TIME DEPARTURE:
     12 NOON 14 OCT 1979
  ...............
BAKER TEST STN#1.............
     DESTINATION: BALTIMORE
     CHANNELS A3
     BERTH/DOCK: NORTH 5
     ESTIMATED TIME ARR. AT CHANNEL MARKER:
     12 NOON 13 OCT 1979
     CARGO: GENERAL
     OFFLOAD: YES
     REFUEL: YES, DIESEL 01 4000 GALLONS
     ESTIMATED TIME DEPARTURE:
     12 NOON 14 OCT 1979
  ...............
  ...............
     BAKER TEST STATION: SLOOP SUNSHINE
     COURSE: 170 MAG.
     SPEED: 1200 RPM
     SEAS: 2-3 FT.
     TIME: 1413 L
  ..........................
@You are at + 37  0.20   + 74 11.79
BAKER TEST STN#1..............
     BAKER TEST STATION: SLOOP SUNSHINE
     COURSE: 170 MAG.
     SPEED: 1200 RPM
     SEAS: 2-3 FT.
     TIME: 1413 L
  ..........................
  ...............
     BAKER TEST STATION: SLOOP SUNSHINE
     COURSE: 170 MAG.
     SPEED: 1500 RPM
     TIME: 1413 L
     CROSSING THIMBLE SHOALS AT BUOY
     R 18.
  ..................
You are at + 37  0.04   + 74 11.72
BAKER TEST STNBaYou are at + 36 59.64   + 74 11.75
BAKER TEST STN#1.................
     BAKER TEST STATION: SLOOP SUNSHINE
     COURSE: 170 MAG.
     SPEED: 1800 RPM
     TIME: 1413 L
     CROSSING THIMBLE SHOALS AT BUOY
     R 18.
  ..................
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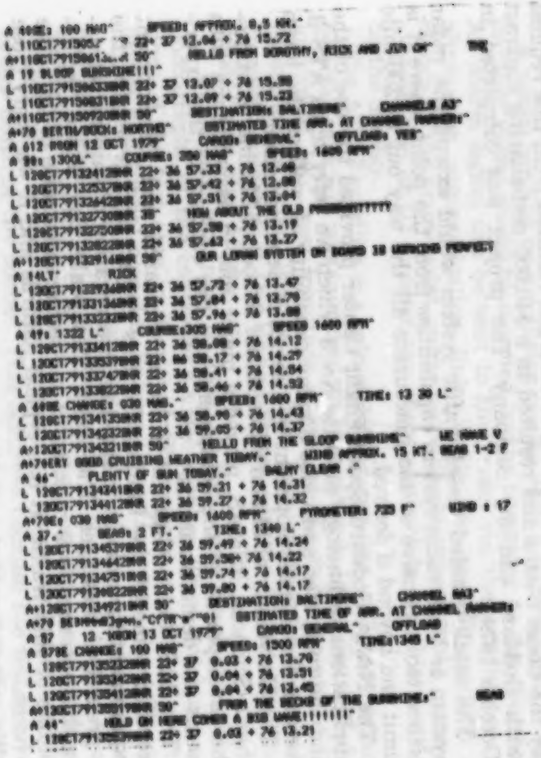


```
A 400E: 100 MAG^     SPEED: APPROX. 0.5 KN.^
L 11OCT791505/' '? 22+ 37 12.04 + 76 15.72
A+11OCT791506130..R 50^      HELLO FROM DOROTHY, RICK AND JIM OF^     THE
A 19 SLOOP SUNSHINE!!!^
L 11OCT791506330HR 22+ 37 12.07 + 76 15.50
L 11OCT791508310HR 22+ 37 12.09 + 76 15.23
A+11OCT791509200HR 50^      DESTINATION: BALTIMORE^     CHANNELS A3^
A+70 BERTH/DOCK: NORTHE^      ESTIMATED TIME ARR. AT CHANNEL MARKER:^
A 612 NOON 12 OCT 1979^      CARGO: GENERAL^     OFFLOAD: YES^
A 90: 1300L^     COURSE: 350 MAG^     SPEED: 1600 RPM^
L 12OCT791324120HR 22+ 36 57.33 + 76 12.60
L 12OCT791325370HR 22+ 36 57.42 + 76 12.80
L 12OCT791326420HR 22+ 36 57.31 + 76 13.04
A 12OCT791327300HR 30^      HOW ABOUT THE OLD [illegible]?????
L 12OCT791327500HR 22+ 36 57.58 + 76 13.19
L 12OCT791328220HR 22+ 36 57.62 + 76 13.27
A+12OCT791329140HR 50^      OUR LORAN SYSTEM ON BOARD IS WORKING PERFECT
A 14LT^        RICK
L 12OCT791329340HR 22+ 36 57.72 + 76 13.47
L 12OCT791331340HR 22+ 36 57.84 + 76 13.70
L 12OCT791332320HR 22+ 36 57.96 + 76 13.88
A 49: 1322 L^      COURSE:305 MAG^      SPEED 1600 RPM^
L 12OCT791334120HR 22+ 36 58.08 + 76 14.12
L 12OCT791335370HR 22+ 36 58.17 + 76 14.27
L 12OCT791337470HR 22+ 36 58.41 + 76 14.54
L 12OCT791338220HR 22+ 36 58.46 + 76 14.52
A 608E CHANGE: 030 MAG.^      SPEED: 1600 RPM^     TIME: 13 30 L^
L 12OCT791341350HR 22+ 36 58.90 + 76 14.43
L 12OCT791342320HR 22+ 36 59.05 + 76 14.37
A+12OCT791343210HR 50^      HELLO FROM THE SLOOP SUNSHINE^     WE HAVE V
A+70ERY GOOD CRUISING WEATHER TODAY.^      WIND APPROX. 15 KT. SEAS 1-2 F
A 46^     PLENTY OF SUN TODAY.^      BALMY CLEAR .^
L 12OCT791343410HR 22+ 36 59.21 + 76 14.31
L 12OCT791344120HR 22+ 36 59.27 + 76 14.32
A+70E: 030 MAG^      SPEED: 1400 RPM^      PYROMETER: 720 F^     WIND : 17
A 37.^      SEAS: 2 FT.^      TIME: 1340 L^
L 12OCT791345370HR 22+ 36 59.49 + 76 14.24
L 12OCT791346420HR 22+ 36 59.58+ 76 14.22
L 12OCT791347510HR 22+ 36 59.74 + 76 14.17
L 12OCT791348220HR 22+ 36 59.80 + 76 14.17
A+12OCT791349210HR 50^      DESTINATION: BALTIMORE^     CHANNEL MA3^
A+70 BE[illegible]^CYTR^#^"9!     ESTIMATED TIME OF ARR. AT CHANNEL MARKER:
A 57     12 ^NOON 13 OCT 1979^      CARGO: GENERAL^     OFFLOAD
A 070E CHANGE: 100 MAG^      SPEED: 1500 RPM^     TIME:1345 L^
L 12OCT791352320HR 22+ 37  0.03 + 76 13.70
L 12OCT791353420HR 22+ 37  0.04 + 76 13.51
L 12OCT791354120HR 22+ 37  0.04 + 76 13.45
A+12OCT791355190HR 50^      FROM THE DECKS OF THE SUNSHINE:^     SEAS
A 44^      HOLD ON HERE COMES A BIG WAVE!!!!!!!!^
L 12OCT791355390HR 22+ 37  0.03 + 76 13.21
```

Mr. BAKER. Within the 200 nautical mile U.S. coastal zone and for all cooperating vessels, each vessel location as determined by loran-C and the ship's manifest with prearrival data can be automatically transmitted continuously via satellite to the advisory center.

The U.S. Coast Guard requested NASA to study potential methods for identification and location of vessels in order to accommodate its increased responsibility within the 200-mile coastal zone. This effort, which I am going to describe, resulted from this request by the Coast Guard and resulted in a $40,000 cost-sharing contract with Goddard and my company. The project was completed in October 1979.

The satellite-aided vessel traffic system would extend the radar system or VHF radio system capabilities from the point where it is either too expensive or too inaccurate all the way out to 200-mile limit and beyond if desired.

The NASA Goddard Space Flight Center provided the use of the applications technology satellite No. 3 which we refer to as ATS-3, and the computer and video display capability as well as the loran receiver for this development in a series of demonstrations.

The University of Miami's Rosenstiel School of Marine & Atmospheric Sciences, RSMAS, played a major role in assisting me with the development of the equipment and the conduct of the experiments and demonstrations.

The U.S. Coast Guard's Office of Research and Development provided some of the funding for this project and generated the requirement for automatic satellite interrogation of ship's electronic prearrival messages. The lower Chesapeake Bay region, including this entrance, was selected as the test area because of the large volume of ship traffic. It has typical hazards and it was very close to home.

We selected a 45- by 35-mile rectangle for the test area, which was transferred from a nautical chart to a video color display shown at the Goddard Space Flight Center.

In an operational system, the computer at the control center automatically interrogates, sequentially, loran-C receivers or other navigation receivers aboard various vessels within a 200-mile limit. Upon receipt of the vessel's own identification number, each vessel answers by transmitting automatically its loran-C position to the computer-driven video color display at the control center. Here operators can view an entire coastline, from inland waters all the way out to several hundred miles and enlarge an area in which there is a pending collision or grounding situation.

The computer also interrogates the messages entered into the memory of a teletype unit such as the ship's manifest, search and rescue data, emergency medical needs and other data on local weather conditions, reporting of fish catches, violations, oil slicks, icebergs, et cetera.

The interrogation time interval for both loran-C fixes and the teletype memory can be varied manually or automatically by the computer, depending upon operational needs. However, the minimum practical time interval is about 5 seconds, which is needed to update each new position in the loran receiver.

Velocity vectors which are calculated by a computer between successive reported fixes can be displayed simultaneously on the video screen. In an operational system, each major vessel entering the 200-nautical mile limit might be required to activate its satellite terminal and transmit its manifest from prearrival data. That far from shore, the interrogation interval, for example, might be 60 minutes and decreased to as often as 5 seconds in a crucial situation or in restricted waters. The present system as configured can accommodate one ship every 2 seconds.

A vessel heading on a collision course with a hazard, obstruction, or other vessel would be detected by the computer or the operator. An alarm signal can be sent to the vessel via the satellite or an alternative communication link. While the vessel's position is shown by the arrow-point on the video display, the vessel's name or abbreviation or ID number can show adjacent to the ship position on the display.

The ATS-3 satellite is a spin-stabilized satellite with body mounted solar cells and was launched on November 5, 1967. The ATS-3 is located at 105° west longitude at one of the stable points in the geostationary orbit. This is an ideal location because it provides complete coverage of the United States and the 200-nautical mile coastal zone plus Alaska.

I would ask you now to look at the three black and white photographs of the controller's video display. They are large sections of the test area in the lower Chesapeake, which include the bridge and tunnel complex linking Cape Henry to Cape Charles.

The first photo is a large-scale display of the test vessel which has just passed over the southern side of the north tunnel of the bay bridge and tunnel complex. The curve in the vessel track was caused by a course change initiated to avoid collision with the bridge north of the tunnel. This occurred because the test run was at night. It was misty and we could not make out the tunnel section and the bridge until we spotted a buoy and we came close aboard. Then the *Sunshine* made a 90° left turn before crossing over the tunnel.

The second photo shows an even larger scale display of the test vessel track. This vessel has crossed over the north tunnel and turned south to the eastern end of the Thimble Shoal Channel. The arrowhead represents the loran-C position of the vessel whose ship identification code was BKR.

The third photo shows the vessel having turned westward and entered the Thimble Shoal Channel.

The system which we propose is very cost effective when compared to any other system which we know of today. It is the only one which we know that would do the complete task of vessel traffic monitoring reliably from land out to the 200-mile limit and beyond.

Although relatively inexpensive, this system has already a built-in multimission capability in addition to its major function as an offshore vessel traffic system. The U.S. Coast Guard is already funding the monitoring of fishing vessels, and this system would provide expansion of fishing vessel monitoring, surveillance of ocean dumping, search and rescue, position monitoring and electronic prearrival messages of all major vessels within the 200-mile limit.

A copy of the actual printout of the simulated prearrival messages during the October 11 and 12 demonstration is included at the end of this prepared statement.

In closing, I would like to add that I was invited to present the details of this system and results of experiments in June to the Port of Long Beach authorities and the U.S. Coast Guard. Later the same week, I presented the same information to representatives connected with the Santa Barbara Board of Supervisors, who are very concerned about the potential hazard of ships colliding in the Santa Barbara Channel, where an inordinately large number of oil drilling and production rigs are anticipated in the near future. The information and data were well received. We are now studying ways to implement the next phase of experimentation in the West Coast region when, and if, funds become available.

That concludes my formal statement. I have a 3-minute video color tape of the controller's panel during the actual demonstrations, if you would care to look at that.

Mr. RATTI. Yes, we would like to see it now.

[Mr. Baker makes a color video tape presentation of the actual movement of the vessel in the Chesapeake Bay showing underwater topography, channels and obstructions.]

Mr. BAKER. I will be glad to answer any questions.

Mr. RATTI. What kind of equipment do you have to put on the vessel itself? Is it expensive?

Mr. BAKER. No, sir. The equipment is very inexpensive. If you assume that the vessel has on board a teletype unit and a loran-C receiver, the cost of the equipment needed per ship is about $5,000. If you include the teletype and the loran-C receiver which has been modified slightly to operate with the computers and the satellite, the total cost for that turnkey installation would be $12,000.

Mr. RATTI. I gather the Coast Guard is interested in this system? Have they gone any further with it?

Mr. BAKER. No, sir. They have not gone further simply because they have indicated they have a lack of resources to proceed any further.

They did provide $3,000 to me indirectly through NASA. They indicated that, if they had more discretionary funds at that time, they would have been glad to have given them to us. They seem to be very much in favor of the system. They were impressed with the results. We had about 20 Coast Guard representatives at Goddard Space Flight Center among a total of 200 people that viewed the video screen when we were running the demonstrations October 11 and 12, 1979. Again, it is just a matter of resources.

Mr. RATTI. As far as you are concerned, the system is completed; it is not still in the test stage. You think it is a finished system?

Mr. BAKER. Negative, sir. I think that we have demonstrated the feasibility using a sailboat simulating messages in a confluence region. But I think there is a next logical phase of experimentation where we would actually put this on four or five tankers which we are plying the Santa Barbara Channel on the west coast and the USCG needs to have the hands-on experience by operators and pilots in the control center making a judgment on what the timing interval should be on interrogations of the latitude and longitude of the loran receiver and also the timing interval for interrogation of messages.

We do not know if the interrogation interval should be 10 seconds, 10 minutes or an hour. I think that, until more experimentation is done with actual vessels under way in their normal routines, that we can properly prepare for an operational system of the future.

Mr. Ratti. Are there any questions?

Mr. Bruce. What would be required of a commercial vessel that wanted to participate in this system by way of on-board shipboard equipment?

Mr. Baker. As I indicated earlier, the cost for any vessel would be about $12,000 for participating in the next phase of experimentation. If a ship already had a loran-C receiver with a direct readout of latitude and longitude and a teletype unit, the remaining cost would be $5,000. The equipment that would be purchased with the $5,000 consists of the VHF satellite antennas, the power amplifier, a voice transceiver modified to the frequencies of the satellite, and a communications central processing unit (CCP).

This CCP is the most expensive of the entire equipment. Costing about $2,000. It is still a model-shop fabrication device, but it handles all of the incoming signals and converts them in the proper data format. It commands the receiver to dump its latitude and longitude data back to the satellite. The CCP also commands the teletype unit to dump its memory of any messages that have been entered into the teletype unit. Then it turns off the transmitter and stands by, resets the register for the next command coming to the ship from the computer at the control center.

Mr. Bruce. Does it require a particular type of loran-C receiver in order to match the rest of the system? In another similar proposal, they talk about a binary-coded decimal requirement. Now, I am not an electronics technician, but that term did arise.

Mr. Baker. This system would accommodate any loran receiver that has a latitude and longitude direct readout rather than just the time difference between master and slave transmitters.

Mr. Bruce. In another part of the country where a similar system was proposed, there was a frequency problem, a frequency allocation problem. Has that suggestion or problem or question arisen in connection with this development?

Mr. Baker. The question has not arisen with this development. We do not have interference with the VHF frequencies that these satellites, both the ATS-1 and ATS-3 satellites have been operating on.

The question has arisen for a future operational system. NASA Goddard Space Flight Center is now looking into an available frequency which has to be a low frequency, fairly low frequency, that would be acceptable for a fully operational system.

Mr. Smith. I take it, just to be clear, that you have not done any demonstrations with more than one vessel?

Mr. Baker. That is correct.

Mr. Smith. But you feel you would be able to cover multiple vessels? Let's say fishing vessels in a large area such as the Gulf of Alaska or something like that.

Mr. Baker. Yes. This system, as I indicated, can cover one ship every 2 seconds. It is my opinion that the number of ships that it can handle depends only on the interval that you interrogate the ships.

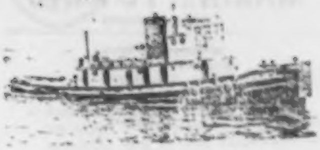
If you have a ship coming in the 200-mile limit and you require only 1 hour, then you can interrogate more vessels in close to shore. But this experimental system will accommodate several thousand ships as it is configured right now.

Mr. Ratti. Thank you very much, Mr. Baker. That sounds like an excellent system. I am sure we will probably be hearing more about it from the Coast Guard in the future.

Mr. Baker. Thank you very much. It is a pleasure to be here this afternoon.

Mr. Ratti. The hearing is adjourned.

[The following was received for the record:]



Selvick
MARINE TOWING
CAPT. WM. C. SELVICK
67 East Maple
Sturgeon Bay, Wis. 54235
Phone: 414-743-6076

July 29, 1980

Congressman Toby Roth
Washington, D.C.   20515

Congressman Roth:

In response to our telephone conversation of July 28, 1980 I am enclosing a copy of a letter to Robert W. Davis of the Committee on Merchant Marine and Fisheries concerning the winter navigation issue we discussed. This has been the last correspondence we have had with him regarding the ice conditions in our area. We do know that he did follow-up on the situations listed in this letter and for a time there seemed to be some improvement, with the larger companies insisting on U.S. Coast Guard assistance. However, this may be largely due to the government not offering subsity to winter navigation last season and most larger vessels requiring any towing service were laid-up in early December.

Citing our contention that pressure from different areas are being put on the U. S. Coast Guard to give this free service, we are referring to an incident this past March where Medusa Cement requested that the Manitowoc River be broken out to their dock in order for their cement carrier the Medusa Challenger to begin her spring season. When the Coast Guard informed them this came under commercial enterprise, they proceeded to get the help of the mayor of Manitowoc to institute this under the "flood control program". When the Coast Guard informed them the "flood control program" did not begin until April 1st, they tried enlisting the help of the Corps. of Engineers. After exhausting all efforts the Medusa company did call us to do the job which took three and one-half hours to break out the Manitowoc River to their slip. In a case like this the government expense of moving an ice-breaker, fully crewed, down to Manitowoc from Sturgeon Bay for such a small job, we feel is a flagrant use of the taxpayers money, to say nothing of interfering with commercial tugs being able to earn a livelihood.

As I have cited in previous letters, the damage caused to vessels by ice-breaking is at time considerable, depending on ice conditions and for taxpayers to bear the burden of building the vessels plus maintaining and repairing them at taxpayers expense with only a benefit to the large corporations, seems to be just one more burden to the American taxpayer.

Selvick
MARINE TOWING
CAPT. WM. C. SELVICK
~~3867 Bay Shore Drive~~
Sturgeon Bay, Wis. 54235
Phone: 414-743-6016

We have no dispute where it pertains to any question of loss of life or their regular navigation duties but we strenuously object to the past record of assisting vessels at docks and ice-breaking harbors where commercial vessels are available.

In answer to the request that the Green Bay harbor be kept open by the Cutter Mobil Bay, based in Sturgeon Bay, we went out on our own this spring, several miles, and broke through three feet of ice to assure the Coast Guard that we could do it, however, the expense for us to continue on to Green Bay without being employed by any one company, was not feasible. We have at the past ice meetings offered a package deal to the various companies using the Escanaba ore docks wherein they could pool amoung themselves to obtain winter service at a lower cost. We feel their main contention in rejecting our plan was that they could get free Coast Guard assistance and the government would subsidize their winter operation anyway.

We would like to see a working agreement whereby the Coast Guard ice-breakers and commercial enterprise could work together for the benefit of all lake vessels without the government being drawn into being a private service for just a few.

We would appreciate a report on the findings of your meetings with the ice commission in Washington, D.C.

Sincerely,

SELVICK MARINE TOWING CORP.

William C. Selvick
William C. Selvick - President

WCS/bjg

Enclosures (not available)

DEPARTMENT OF TRANSPORTATION
UNITED STATES COAST GUARD

MAILING ADDRESS:
U.S. COAST GUARD (G-CC/104
WASHINGTON, DC [illegible]
PHONE: 202/426-4280

• 5730/8
30 SEP 1980

Honorable Mario Biaggi
Chairman Subcommittee on Coast Guard and Navigation
Merchant Marine and Fisheries Committee
House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

I am writing to inform you of the corrective measures that the Office of Navigation has initiated in response to comments concerning aids to navigation at Southwest Pass that were made before your subcommittee at the Coast Guard Oversight Hearings of 30 July 1980.

As stated in Mr. Daniel R. Myers' testimony, a strobe light has been placed at the Southwest Pass Sea Buoy to increase the visibility of that aid under low visibility conditions. The Commander, Eighth Coast Guard District is requesting comments from mariner interest groups concerning the Associated Branch Pilots' request to move the large navigational buoy (LNB) from Mississippi River Gulf Outlet (MRGO) to Southwest Pass Entrance as a replacement for the sea buoy. If no major objections are raised by the users of MRGO, the District Commander intends to implement the Associated Branch Pilots' request.

Improvements to the fog signal at Southwest Pass East Jetty Light are being studied by the aids to navigation staff at the Eighth Coast Guard District. We have advised the District Commander that the power requirements of a siren are not compatible with the power resources available at the aid site; however, other distinctive signals with ranges of up to three miles are available and are under consideration.

We will keep you advised of further developments in this matter.

Sincerely,

J. M. FOURNIER
Captain, U. S. Coast Guard
Chief, Congressional Affairs Staff
By direction of the Commandant

[Whereupon, at 2:20 p.m., the subcommittee was adjourned.]

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